THESE DAMES ARE BANANAS: THE HISTORY OF ACTION FOR CHILDREN'S TELEVISION, 1969-1992

By

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A DISSERTATION PRESENTED TO THE GRADUATE SCHOOL OF THE UNIVERSITY OF FLORIDA IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY

UNIVERSITY OF FLORIDA

2002

ACKNOWLEDGMENTS

In completing a project such as this, there is no end to the number of "thank yous" that should be given. I will try to express my gratitude to those who have helped me immeasurably over the last five years of my graduate program. Inevitably some names will be forgotten, but I hope those people know that their assistance was not taken for granted.

Foremost, I would like to thank my parents, Betty and Kenneth; my sisters Kacie and Kamilah; and the Dobbins family for their support and humor during the most trying times of academia. Friends such as Lori Boyer, Stephynie Chapman, Andrew Clark, Tony Fargo, Laura Johnson, Lisa Joniak, and Aleen Ratzlaff were constant sources of encouragement, laughter, and lunches. I also thank Shelley Kimball for being a great dissertation buddy and friend.

The staff of the graduate division in the School of Journalism and Mass Communication, especially my cheerleader Jody Hedge, will never know how much their work means to graduate students going through the program. Also the staff members at the Action for Children's Television archives in the Guttman Library at Harvard University are to be commended for their attention to detail and assistance.

Finally, I would like to thank my doctoral committee (Kenneth Kidd, Sid Pactor, F. Leslie Smith, Julian Williams, and Milagros Rivera Sanchez) for their guidance and patience as I completed my dissertation 1,000 miles away from their offices. Lastly, my

dissertation chair, Bernell Tripp, deserves my eternal gratitude for her pursuit of excellence and unending efforts to make me a better researcher and, more importantly, storyteller.

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Abstract of Dissertation Presented to the Graduate School
of the University of Florida in Partial Fulfillment of the
Requirements of the Degree of Doctor of Philosophy

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May 2002

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Major Department: Journalism and Mass Communication

This dissertation uses oral history, archival research, and popular and trade publications from ACT's time to tell a story about Action for Children's Television (ACT). An advocacy group started by a group of mothers in Newton, Massachusetts, ACT changed the way the broadcaster industry and the federal government approached programming for children. This dissertation is a historical analysis of ACT, its dynamic leadership, and its evolving agendas toward the industry and its regulators.

The women who founded ACT—Lillian Ambrosino, Judith Chalfen, Peggy Charren, and Evelyn Sarson—organized ACT to reduce commercial content and increase educational substance on children's television. The founders laid the groundwork for children's television regulation in the 1970s, 1980s, and 1990s by presenting their case to the Federal Communications Commission, the Federal Trade Commission, the Consumer Safety Product Commission, the United States Congress, and U.S. presidents from Nixon

to Clinton. Further, ACT also forced broadcasters and advertisers to alter their work as a reaction to the threat of impending regulation.

Policy-makers credit the women of ACT with shaping present-day children's television programming and advertising regulations. These regulations, found in the Children's Television Act of 1990, require broadcasters to serve the information and education needs of children and limit commercial content on programs specifically designed for a child audience. Although the group's leadership changed over time, the organization always maintained the aims it set in the first few months of its existence. With these consistent goals, ACT exemplifies the impact advocacy can have on government and the television industry.

CHAPTER 1
INTRODUCTION

Background Information about ACT

"Captain Kangaroo, we want you!" This was the battle cry of a small group of mothers and their children as they marched in front of WHDH-TV, Boston's CBS affiliate in 1970. The station had cut the hour-long *Captain Kangaroo* in half to show its locally produced *Bozo the Clown* program. This program replaced the Captain's educational content with a clown who led a gaggle of children in games and advertised products during the show.[1] Action for Children's Television (ACT) organized a "good tempered television demonstration" to encourage the station to restore *Captain Kangaroo* to a full hour.[2] During the picket, each child carried two balloons, while mothers carried homemade signs reading "Don't cut up Captain Kangaroo" or "Give us ALL the captain." This simple protest encouraged the CBS station to restore the children's program to an hour.[3]

This picket was one of the first grassroots activities of Action for Children's Television, a group of mothers who worked to improve the quality of children's television. Four friends from Newton, Massachusetts, founded ACT in 1968 out of their concern for the lack of choices for children, the abundance of violence and the over-commercialization their children were exposed to on television. These women—Lillian Ambrosino, Judith Chalfen, Peggy Charren, and Evelyn Sarson—conducted their own research on television programs, and it was not long before they realized that violence

was just one problem they wanted to address.[4] Over the nearly 25 years of the organization, the group tried to influence government policy and broadcasting standards on such issues as commercials, educational content, and host-selling on children's programs.[5]

This study discusses ACT's efforts in implementing its strategies for fundraising, educating, and representing children by monitoring the programs, as well as the success of these efforts and the subsequent changes in children's television that were related to ACT's strategies. By looking at these strategies, the research addresses community, business, and government reaction to the group and the dynamics of ACT's leadership and the role these women played in the success of these strategies. This study reveals that ACT's success was determined not only by government and broadcasters' acceptance of its positions, but also by the ACT's leadership style. When ACT's leadership became more centralized and focused on Peggy Charren, ACT's efforts received more media and political attention because both the press and politicians could not ignore Charren's tenacity.

Before Action for Children's Television began its work on a national scale in 1971, children's television in the late 1960s was a colorful array of cartoon superheroes and talking animals.[6] On Saturday mornings, anvils and sticks of dynamite continued to foil the likes of Wile E. Coyote and Sylvester the Cat.[7] Faster than a speeding bullet, elementary school kids were glued to the programs featuring amazing and often violent super heroes such as *Roger Ramjet*,who introduced himself as "Daredevil, Flying Fool, and All Around Good Guy," and the fast-swimming, crime-and pollution fighting *Marine Boy* and *Aquaman.*[8] The A. C. Nielsen television ratings company estimated that some 15.6 million children, 2 to 12, tuned in to these shows each Saturday morning.[9]

While children flocked to these programs, some adults watched the shows for research purposes. Television researcher S. I. Hayakawa found that because television was an all-consuming appliance children became alienated from their parents. He also found that children became easily bored with human conversation. Not only did the programs make children less gregarious, the shows also made them more violent in some cases.[10] In the 1960s, Albert Bandura found that children acted out violence they viewed on television. In an experiment, children viewed a television program where the actor exhibited violence toward a doll. After the program, the children were observed acting violently toward a doll given to them in the experiment.[11]

However, commercial television did offer some educational programs such as *Romper Room* and *Captain Kangaroo*, which taught preschoolers letters and numbers. These programs were the exception.[12] Explaining their reluctance to air these programs, commercial broadcasters consistently cited the lack of advertising dollars that these programs generated. By and large, broadcasters were airing programs positively not to influence children, but to captivate large numbers with colors and music. Once captured, advertisers were free to lay out their wares for unsuspecting eyes. During the commercial breaks in these shows, children were bombarded with spots for sugary cereals such as Cocoa Pebbles, Cap 'n Crunch, and Crunchberries; and plastic toys such as Shrinky Dinks and Talking View-Masters.[13] Large corporations capitalized on their children's products. Companies such as Mattel, General Mills, and Kellogg's spent about $70 million in advertising each year. It was estimated that Saturday morning programs, alone, garnered $20 million in 1969 for the broadcasters.[14] However profitable these programs were to the advertisers, the shows did not benefit the young viewer.

Using this environment as an impetus, ACT's founding leadership discussed what they wanted to change in children's television. After several brainstorming meetings, they established the organization's longtime strategies. ACT's four strategic activities were listed in its proposed guidelines in its statement of purpose:

1. Educating through articles, lectures, and letters; testimony at Senate hearings; newsletters and publicity materials.

2. Monitoring to obtain accurate statistical data because facts and figures are essential for a true appreciation of the seriousness of the problem.

3. Representing the children's interests to the broadcast industry.

4. Fund-raising by applying for grants, collecting members' dues, soliciting donations to implement goals.[15]

From the beginning, ACT leadership did not want to tell broadcasters what to air but wanted to ensure that broadcasters were meeting the public interest, convenience, and necessity requirements set forth in the Communications Act of 1934. Under this statute, the Federal Communications Commission was authorized to grant broadcast licenses on a broadcaster's ability to serve his community.[16] Once discovering this requirement, ACT continually petitioned the FCC and Congress, asking for regulations and laws for children's television. The group also filed lawsuits stating that broadcasters were not meeting their public interest requirements and the FCC should encourage the broadcasters to do so.

Perhaps more compelling than their political work was ACT's work as a grassroots organization. This dynamic group consisted of four educated, community-minded women who brought their own talents to help ACT's progress. Their meetings were be in their own homes and ended when it was time to pick up their children from school. For its first two years, the women supported ACT with their household funds and

conducted their initial research using other parents, not trained media researchers. However, as ACT's prominence grew, the media's attention focused on the outspoken Peggy Charren. Charren positioned herself as ACT's chair and key spokesperson. Throughout the duration of the group, none of the new members of the group were as visible as the founders had been. Charren's strong personality eventually led to the creation government rule for children's television but soured Chalfen's and Sarson's relationship with Charren.

While the dissertation focuses on ACT's efforts, it also addresses broadcast programming, FCC and Federal Trade Commission regulatory action, and the legislation of children's television. While children are one of the largest audiences for television, relatively little is known about the regulatory actions taken to provide diverse programming for this group. Scholarly research addressing this regulation has been limited to specific time periods or political philosophies, such as deregulation. The present research provides a synthesis of government action and the reactions of broadcasters. This research also provides a clear picture of the organization Action for Children's Television, one of the most influential advocacy groups in broadcasting history. Existing work about ACT has been limited to what Peggy Charren, the most visible member, has discussed with the media. Other viewpoints, such as those of the other founders of the group, have not been addressed in existing research. These voices are important because they tell another side to the known story, and they offer voluminous information regarding how their expertise added to the groundwork of ACT.

This work is significant for several reasons. First, the dissertation discusses the role women have played in the development of television programming that heretofore has not been fully explored. Although there is some research about the female

performers and creators throughout television history, there are no seminal works about women television advocates. The present research also shows that the women of ACT had a unique strategy as mothers leading an organization on the behalf of their children that has not been addressed in previous research about the group. The history of women, especially of mothers who were advocates, is lacking in media history.

Research about ACT also is significant because the organization's inception marks a turning point for the broadcast industry. Not only did ACT put broadcasters on notice that there was now a group watching on behalf of children, but the mere existence of ACT encouraged broadcasters to diversify what was being offered to children. Prior to ACT, broadcasters were airing commercially laden cartoon series for large masses of children. Once ACT became a well-known monitor of the airwaves, broadcasters started to add more variety to their daily schedules. Ultimately, this dissertation about ACT is a good example of the role mothers can take in protecting their children and others from potential harm.

Methodology

Two research methods were used in this dissertation. First, oral history provides firsthand information from the surviving founders and some of their family members about their past experiences ranging from racism and the Red Scare as being motivations for their desire to start ACT. Interviews from Judith Chalfen, Peggy Charren, Evelyn Sarson, the late Lillian Ambrosino's husband, Michael, and Chalfen's sons are imperative to showing the day-to-day activities of the organization and the role ACT played in the lives of the founders. Second, the historical methods of archival research and historical interviews are used to determine what journalists, politicians, parents, and others said about ACT. Also ACT's archives reveal what the organization was saying

about itself to its followers. Both methods are meshed to explore ACT's role in implementing change in children's television programming and regulation in different political and economic periods. At the same time, these methods allow for a discussion of ACT's success as it evolved from a small grassroots organization in Newton, Massachusetts, to a national organization, and eventually to a vehicle for one woman's crusade to improve children's television.

There are several primary sources to be used in this study. Government documents such as FCC rulemakings, FTC procedures, and Congressional hearings are used to determine how the government responded to ACT's efforts. Personal papers and memos from ACT's members, as well as oral history information are used in conjunction with government documents and newspaper articles to develop valid first hand accounts of ACT's work. Network and local stations' television schedules, found in major newspapers from the years studied, are used to provide programming practices of broadcasters. They also aid in the analysis of the programs from that period. Secondary sources such as Internet sites from popular culture enthusiasts and advocacy organizations help add context about television station strategies during ACT's existence.

Literature Review

The literature related to Action for Children's Television encompasses several arenas. These are seemingly wide and unrelated areas of research, but each is necessary in discussing and understanding children's television advocacy in different political and economic periods in the United States. First, literature relating to the history of television as a new medium and new technology discusses television's development and how it influenced its audience and reflected their changing needs. Historical information pertaining to television also can be found in the biographies of television pioneers. To

further address the audience's use of television, a review of the literature pertaining to the role television played in society's education and behavior are conducted. Most important to the present study is the role television played in the lives of children. For this reason, a review of significant scholarly research about televised violence and advertising and its impact on children from the past four decades are examined. These two areas are essential because they were the primary issues addressed by ACT during its existence. In order to understand the influence television had on children, it is necessary to address the programming and advertising techniques used by broadcasters to reach the child audience. These programming strategies add insight into the money-making and ethical practices of the broadcast television industry. It is also necessary to review literature pertaining to advocacy and its influence over the regulation of broadcasting when studying ACT. The literature review culminates in a discussion of the work that on-air personalities, program producers, and Action for Children's Television, has done to improve children's programming.

Television History

A review of literature pertaining to television history provides background information about the factors that contributed to the medium's evolution. This information is necessary to research ACT because it provides a framework in which to understand why ACT met with resistance from broadcasters and some regulators. The economics of television is essential to its technological and programming development. The economic development of public broadcasting is separate from the development of commercial broadcasting because of the noncommercial nature on these stations. Public broadcasting does not rely on traditional commercial advertising and, therefore, does not need to seek advertisers or a large audience.[17] As a result, there are several instances

when public television accepted educational programming, while commercial broadcasters refused to add educational content to their schedules. The present research about ACT looks at the development of children's broadcasting, a largely unprofitable format, in an industry where profits are based on amassing a large consumer audience.

A review of the history of broadcasting technology and its first innovators reveals that television's start was touted as being a lofty tool for social good, but ultimately it became an industry based on profits.[18] In George Comstock's detailed history of the medium in *The Evolution of American Television*, he wrote that television influences the psychology, sociology, and political behavior of its viewers, but television is best understood when the technology and economic character are analyzed.[19] As a result, Comstock discusses the history of broadcasting from a technological and economic standpoint. Comstock contended that television is more than entertainment and news content. It is also a time-consumer whose content is based solely on economics, not social betterment.[20] Comstock's book provides sound information on the chronological history of television. The book is invaluable to a researcher seeking an overview of television's development. However, the book does not provide detailed information about the regulatory actions taken to develop children's television in light of technological and economic development of the medium in order to be simple enough for a general audience.

Similar to Comstock's findings, Nick Brown concluded in *American Television: New Directions in History and Theory* [21] that network television is driven by its search for profits and seeks these profits in stable social groups. As a result, networks altered their content only after ethnic, racial, and sexual groups became economically viable. Brown's work also provides contextual information about the development of television

and further explores the development of content for specific groups. Brown's compiled chapters do not contain many firsthand accounts from those actively participating in ACT's history. Thus no anecdotes exist from the times covered in the book. This shortcoming is significant because information provided by those who were present during the events often provides more accurate and more vivid recollections of past events.

A review of television history does reveal some instances, although very few, when programming was not based on economics, but on the educational and moral value of the content. This research is found in several biographies of television pioneers. Robert Keeshan, the actor who portrayed the kindly *Captain Kangaroo* for three decades, writes in his parenting guide that he wanted his program to serve as a quiet daily retreat for children.[22] However, the book concludes with the realization that declining profits of the series led to his program's demise in the mid-1980s. Keeshan's book is intended to be an autobiography while providing helpful parenting techniques. Keeshan's recollections of his childhood memories often meander. In one instance he laments the departure of the clothespin from his youth. Another shortcoming of the book is the lack of information about other television shows that may have aired on commercial television. Keeshan discusses the economic factors that led to the demise of his program, but never addresses what his competitors were offering children at the same time.

Like Keeshan, Fred Rogers, from the children's program *Mister Rogers' Neighborhood*, and Joan Ganz Cooney, creator of *Sesame Street*, both found a need for quality children's programming more important than profiting from the commercial broadcast industry. In *Children, Television, and Fred Rogers*, Mark Collins and Margaret Kimmel compile several studies about Fred Rogers and his children's television program.

Research about Rogers is important because he stated that he decided to take an active role in bringing his program to public television because he was disappointed in what commercial broadcasting had to offer children.[23] The book offers biographical information about Rogers, while tracing the development of his educational children's television show. The Collins and Kimmel book provides an great amount of information on Fred Rogers, and his program, but does not add much to a discussion of commercial television. It also does not address any regulatory issues related to children's television. The regulation of children's television is central to any work about commercial television's content because it is programmed according to regulatory expectations placed on commercial broadcasters.

Another book dealing with specific information about public television's contribution to children is Richard Polsky's *Getting to Sesame Street: Origins of the Children's Television Workshop.* This book is one of several similar analyses of the revolutionary educational children's program. Polsky discussed Cooney's interest in having poor inner-city children being as prepared for elementary school as their suburban counterparts, then diverges on the effects research conducted on the children who watch the program.[24] Similarly, in their 1975 study, *Sesame Street Revisited*, Thomas Cook, et al. predicted that *Sesame Street,* then a few years old, would establish a long reputation as an effective teaching instrument.[25]

Both of these works provide thorough information about the development of what many experts say is the most significant children's television program, *Sesame Street.* This work also is relevant to ACT, an organization started by women, in that a woman created the Children's Television Workshop, which produced *Sesame Street.* Like books on *Mister Rogers' Neighborhood*, works on *Sesame Street* provide information on

programs that consistently are considered to be the baselines for determining a children's television standard. However, these books do not offer much information about commercial television practices. There is some mention of the paucity of children's television on commercial air, but there are no specific television shows mentioned. The present research discusses specific television programs to demonstrate the effect ACT had over programming.

Much of the research that has been conducted about television's evolution is based on the need for commercially viable content. While the analyses address the development of technology, economics, and strategies of the industry, there is little information available about the role advocacy and regulation have played in the historical development of television programming. A discussion of ACT meshes all of these aspects in explaining the history of one type of broadcasting. Researchers will find the present study helpful because for the first time, there is firsthand information from those involved since the beginning of children's television advocacy. This study also is relevant to researchers because it offers the advocates' reactions to the regulations and programming changes made as a result of their work. Further, an analysis of the history of television shows that there were moments when pioneering broadcasters, such as Keeshan and Cooney, sought opportunities to enrich the content of television.

Television and Society

As television grew into a profit-driven industry, its role in society grew as well. There are two different types of research involving the relationship between television and society. The first is largely focused on the role of viewing in shaping attitudes about violence, race, and gender.[26] The second is the role television plays in familial and other interpersonal relationships.[27] The information in both types of work provides a rationale

as to why people, including the mothers in ACT and some members of government, sought changes in television.

Jennings Bryant edited a book that provides a historical overview and summary of the data on television and the family. His book *Television and the American Family* presents evidence about television, how the modern family uses television, and how families are presented on television. He assessed several areas of research and examined television's impact on consumerism and violent behavior. The book is a college-level textbook addressing several mass communication theories and effects. Finally, the book discusses broadcast policy issues for television and the family such as indecency laws, children's television legislation, and advertising regulation.

This book and others like it add a good overview of the potential influences of program content and televised advertising and American society. This information is essential to understanding why the mothers of ACT wished to mitigate these effects through regulatory measures. Because the Bryant book is written as a textbook, it contains no anecdotal information about television's influence over family life or much detailed information about advocacy's hand in the regulatory process. The present research addresses what ACT's founders assessed as the influence of advertising and programming content on children and how the organization sought to improve that content.

Other work about television and society lists more specific outcomes of society's use of television. In his collection of essays by leading mass communication scholars such as Ellen Wartella and Carolyn Steinem, *Television as a Social Issue*, editor Stuart Oskamp wrote that television influenced society in two distinct ways. First, the content of television influences public perceptions of what constitutes a social issue. As such,

the media tells its viewers what news stories to think about. Second, the power of the television industry to influence public behavior is, itself, a social issue. The book deals with the negative aspects of television on society such as materialism, perpetuation of stereotypes, lethargy, decreased attention spans, and violent behavior.[28]

To discuss this myriad of possible mass communication effects Oskamp offers prominent researchers' assessments of the impact television has on society. The book uses these researchers' quantitative surveys and experiments and qualitative focus groups to examine the potential influences, but there is no study using any historical methodology to analyze television and society found in the book. Work about ACT provides an illustration of what changes have been made in television and how advocacy can spur these changes.

In their book *Big Worlds, Small Screen: The Role of Television in American Society*, Gary Melton and Carolyn Stienman Schroeder address issues similar to those found in Oskamp's book. The book also investigates who in society is most affected by television. The authors state that television programming affects the disenfranchised members of society—the disabled, women, children, and the elderly—more than others. The effect is strengthened because these groups have fewer opportunities to become media literate and limit their exposure to television.

The Melton and Schroeder book also looks beyond the oft-covered topic of televised violence and aggression. Instead, the book examines at other facets of human behavior such as family life, love, and race interactions. Television can both negate and romanticize attitudes toward these interactions. The strength of the book is that the authors purposely address less frequently analyzed aspects of television and society, adding another interpretation to what is already known about television's impact on

society. However, the research does not discuss parents' efforts to mitigate the negative influences or increase the positive ones. One of ACT's purposes was to help parents mitigate television's influence by reducing advertising time and increasing educational content on television.

Other research about television's role in society establishes that television's mere presence alters viewer's satisfaction with their family life. In *Television and the Quality of Life: How Viewing Shapes Everyday Experiences*, Robert Kubey and Mihaly Csikszentmihalyi analyzed how television changes the way people feel as they move through everyday life, compared to how they feel when they are watching television.[29] A key finding in the book shows that television plays a large role in family life. For example, people can do other activities while the set is on, but rarely do they talk to other family members. Kubey and Csikszentmihalyi also found that statistically people are more alert, cheerful, and sociable when the TV is not on.

Kubey and Csikszentmihalyi's analysis of television and society diverges from the impact television has on consumerism and violent behaviors and addresses simple daily life processes. While ACT was concerned with consumerism and violence, research about socialization provides background on ACT's other projects such as support for nutritional content and fine arts on television.

Television's socialization effect also is addressed in several works. Judith Van Evra's *Television and Child Development*, which focuses on television has in the lives and socialization of children,[30] concluded that because viewers can interact with, attend to, remember, analyze, and criticize what they see they are deeply influenced by television. What young children can learn from television is important because their

social skills and emotions are forming during these years. It is during early childhood that children's beliefs and ideas about the world are shaped.

Van Evra's book provides information about children's socialization process at different stages in their lives. Although ACT and other groups were concerned that broadcasters tailor their programming to specific age groups because of the unique needs of each group, Van Evra does not offer information about advocacy to create age-specific programming. She also does not name any particular programs introduced at that time to serve children. The present research addresses the advocacy of age-specific programs and why broadcasters reasoned they were not feasible or necessary.

The depletion of social morality is discussed frequently as well. In *How TV Banished Childhood*, Neil Postman wrote that television truncates childhood through its frank talk about sex, eroticism, and "psychopathic" content.[31] Postman stated that mature information once kept in the closet is exposed via television's open door. Children's natural curiosity, coupled with the television's adult content, means that they are informed like never before. Children who watch television find that they are immune to the graphic content on the programs and see it as mundane.

Similarly, Edward McNulty's *When Television is a Member of the Family* asks "how does the medium (television) influence the family" and "how can families cope with it?"[32] Unlike Postman's book, McNulty's text addresses the place of television before religion. McNulty contended that some families "worship television more than they worship Jesus Christ."

Although the two books are theoretically based and lacking in stringent research methodology, they contribute sound discussions of the influence television can have over children's morality. While these works do not address specific television programs that

lack morality, they serve as guides to general programming content. The present research is not about the moral aspects of children's television, but it does address similar qualities that ACT's founders considered acceptable in children's programs.

A more cutting indictment of television's role in society is Mary Winn's *The Plug-In Drug*.[33] Very much against television, Winn stated that it contributes no positives. At one point the author wrote that the presence of television creates learning and socialization problems, and at best, watching television is irrelevant to the upbringing of a child. There are a few references to ACT and its effort to affect television at the time. However, the references are not all positive. Winn argued that ACT's desire to increase the number of television shows for children is not solving the problem of television addiction. More television programs only provided more fodder for the addiction.

Topically organized research on television and society research is demonstrated with little regard for the political or industry environment during the time period being addressed. The present research is not an analysis of television's role in society at large, but it addresses the role a few members of society had on television. The women of ACT were concerned with the influence that overcommercialization, violence, and general lack of quality programming had on the future well-being of their children. They formed ACT to improve television for their families and families across the country. As such, the present study addresses television's influence on society and how that societal change eventually spurred change in television.

Children and Television Research

Most pertinent for the present research is television's impact on children. There are three main focuses when discussing children and television: violence, consumer

behaviors,[34] and children's cognition of television at different developmental stages.[35] Research involving children and television is important when assessing ACT's causes for regulation because it provides contextual information that helps explain why ACT was opposed to children watching too much violence and advertising.

An overview of all of this research can be found in Carmen Luke's *Constructing the Child Viewer: A History of the American Discourse on Television and Children, 1950-1980.*[36] Unlike most television effects texts, this book looks at the research that has been done on children's programming since the inception of the medium. Luke compiled and summarized the studies of prominent mass communication scholars such as Albert Bandura. Like most effects literature, this text spends a lot of time with the effect of violent television content on children.

The book is little more than an index of the studies with no contextual information or anecdotal information pertaining to television programming or advocacy at the time, but it is helpful when addressing ACT's advocacy efforts. Each of the founding members of ACT said the organization conducted its own research on television's effect had on children before approaching the FCC with their proposal. Some of the studies from the 1950s and 1960s contained in Luke's book were examined by the women during their research. The effects research from the 1970s and 1980s also informed ACT's work when the group expanded its focus to deceptive advertising and toy-based television programs.

Research into children and violence indicate that some children are not impacted by violent television content, while others model or copy violent behavior on television with aplomb. In "Television and the Well-Being of Young People," a chapter in Ved Varma's *Violence in Children and Adolescents*, Richard Sparks assessed children's

behaviors are assessed using previously conducted academic research and reflection on personal expectations.

Sparks' one major contribution is the conclusion that existing effects research may be overstating the impact violent content has on children. Sparks wrote that "the impact of television and other media on children's well-being is probably far-reaching, though we should guard against a perceived tendency to discuss the matter in exclusively negative terms."[37] Sparks cautioned that the impact is not seen in all children, and sweeping generalizations should be avoided when discussing children's reactions to violent content.

Effects research about violence often demonstrates that gender tempers the impact violence has on children. After observing real life situations of children watching television, William Belson determined that high exposure to television violence increases the degree to which boys engage in serious violence.[38] Serious violence often is copied when the televised violence occurs in the context of close personal relationships, the violence is gratuitous, and the violence is fictional. Belson found that boys also were more likely to model violent behaviors after witnessing them in Western genres.

The CBS television network financed this study, so it offers insight into the network's perception of children's television. CBS consistently presented studies contrary to ACT's positions when the FCC asked for comments during rulemaking procedures. This study showed that the network supported research that would have bolstered ACT's platform to counter violent content with educational programming. Combining this information with CBS's programming strategies at the time demonstrated

how the network responded to findings that children were negatively impacted by excessive violence in television programs.

Although violence and children are the focus of much effects research, there also is a wealth of existing research on advertising's influence on children. There is a great deal of literature about the impact of television advertising on children's purchasing decisions and familial discord through arguments and tension. Richard Adler, et al., discussed this topic in *The Effects of Television Advertising on Children*,[39] a review of existing research on the effects of television advertising and children. The book is based on the principle that children are a special audience deserving special attention and protection, an argument was similar to the one ACT used in its platforms. The authors opined that policy-makers in both government and the industry should look at empirical findings about children's responses to television programming and advertising as a means for making more informed decisions about policies. The work concludess with several findings that supported ACT's claims: (1) Some advertising techniques are deceptive and exploitative to children who lack the skill to evaluate them properly due to their vulnerability; (2) Advertising for food and drugs could be hazardous to children; (3) Long-term exposure to advertising adversely affects the development of children's values, attitudes, and behavior.

The content of the book is particularly informative because it offers sound evidence that children were, indeed, being influenced by the advertising content on their television shows. While the empirical research is germane to the present study, it does not take into account why certain programs and commercials were airing.

The authors referred to ACT when discussing the intended audience for a book about advertising effects data. Their research is essential in discussing ACT's

controversial desire to eliminate commercials from children's programming. Advertisers and broadcasters were reluctant to make significant changes in the numbers of minutes devoted to commercials airing during children's programs.

Like Adler's research, other studies have been concerned with advertising's ability to persuade young viewers to buy products such as toys and food. Thomas S. Robertson and John Rossiter's *How TV Sells Children* used a survey of school-aged children to determine the influence television exposure, age, and parental controls had over children's desire for an advertised item.[40] The work showed that advertising content persuaded heavy viewers more than moderate viewers. The more a child viewed television, the more he asked for the product. However, if the child is very young or if parents discuss the product or the program, the requests will be mitigated. Rossiter's study provides statistical research about the potential persuasion found in children's advertisements, but does not address parents' reactions to the advertisements. It may be assumed that parents would be frustrated by children's constant pleas for advertised products, but there is no research or evidence pointing to that assumption. The present study about ACT shows parents' displeasure with the advertisements in two ways. First, the mere fact that dissatisfied parents formed ACT to combat against these advertisements is illustrative of a group of parents who reacted to commercials airing to their children. This study also exhibits a few letters from parents who were concerned with the advertising content found on children's television.

Robertson continued his study of parental influence in his journal article "Parental Mediation of Television Advertising Effects."[41] He wrote that while advertising encourages children to ask for items, the requests provide an opportunity for parents to

train their children about consumption. Robertson's research stresses the importance of parental influence over children's viewing.

Similarly, Daniel Wackman, Ellen Wartella, and Scott Ward's article "Learning to Be Consumers: The Role of the Family" found that family mitigates the amount of influence television has on children.[42] Families can alter the rate of learning about the world, which deters children from being persuaded by advertising. Families also can simply reinforce what disclaimers are present in the advertisement. While the study is a sound investigation of what can happen in some families, it is not a realistic depiction of what occurs in most homes. The researchers also make reference to what should be done to mitigate the effects of television if the parents are not involved. For example, teachers or day care providers could be included as playing an elemental role in the lives of children. Further, this study does not place much accountability on the broadcasters and policy-makers to control what children see on television. ACT held these bodies just as accountable for what children saw on television.

This article simply demonstrates the impact family has on television viewing. Wackman, Wartella, and Ward point to the importance of familial involvement in children's television viewing. However, the article stops short of suggesting or explaining how a group of concerned parents could make large scale changes in what their children are exposed to. The present study is not a "How-To" guide, but does provide an example of successful grassroots activities. The mothers who formed ACT are illustrative of dedicated parents' efforts to mitigate the influence television had on their children.

Children's exposure to specific products such as food and toys has been the focus of research as well. Charles Atkin and Gary Heald examined the two most prominent

products advertised to children, food and toys,[43] revealing that the ads utilized similar appeals to get children to buy the products. For example, some of the spots encouraged the kids to ask their parents to buy a certain product. Other ads repeated the brand name several times so the children would not forget it. In most of these cases, the advertisements depicted a high, often exaggerated, level of satisfaction for the items.

The study was a content analysis of two days of Saturday morning advertisements appearing on the three networks during in the 1972-1973-television season. For this reason, the study's sample of two days of programming limited its results, because often broadcasters change their schedules at several points during a season. A greater number of weeks would have allowed for programming shifts. There is no discussion of how impending regulation influenced the amount of commercials being aired. It is only through historical research that the context is added to studies such as this one.

A more in depth study of young children's reactions to food advertisements was conducted by Marvin Goldberg, Gerald Gorn, and Wendy Gibson in their study, "TV messages for snack and breakfast foods: Do they influence children's preference?"[44] In the article, the researchers found that when offered a choice of highly sugared or more wholesome snack and breakfast foods, first-graders' choices reflected their TV exposure experience. Those who viewed commercials for highly sugared foods opted for more sugared foods, despite whether they were advertised. Those who viewed pro-nutrition video chose more fruits and vegetables.

While this study offered sound information about children's food choices, it was conducted in a laboratory-type setting. There was no discussion of how a child's friends or parents influenced the food choices child made. The present study provides context and words from parents who were concerned about advertising's influence over children.

ACT lobbied the FTC throughout the latter part of the 1970s asking for rules requiring nutritional information to be included in food advertising.

Not only are researchers interested in television's ability to persuade children's consumer behavior, numerous studies have been done to assess how television alters a child's social behavior. Several research studies have addressed maturation influences on how children perceive television. Most of this research was conducted using terminology developed by educational psychologists. Mariann Pezzella Winick and Charles Winick's *The Television Experience: What Children See* assessed children's cognition of television at different developmental stages.[45] Overall findings show that younger children experience television differently than older children, but TV reaches adolescents more than it does adults. Further, using well-known educational psychologist Piaget's periods of thought operations, children ages four through six are in a period of intuitive thought operations. This period is where children can deduce or infer an explanation about some content without being told by an older person. During this period children are not as confused by fantasy and five-year-olds understand puns. Children seven through nine can be critical thinkers and may become aggressive soon after watching a few minutes of an aggressive scene.

This book contains helpful information about the various stages of children's cognitive development. The age groupings are helpful to understand why ACT asked for age specific programming. The book is a clear and informative description of the stages of a child's congnitive development. The research is especially worthwhile because it is one of the few educational psychology books that uses understanding of television content as a marker for a child's cognitive development.

In *Children Communicating: Media and Development of Thought and Speech Understanding*, Ellen Wartella compiled several studies to pinpoint how children perceive media apart from how adults perceive the same messages.[46] Among the articles compiled is a study of children's behavior based on their stages of development or "developmental perspective." One key finding revealed that between kindergarten and sixth grade, children acquire a greater understanding of the purpose of advertising. The older children tend to select varied kinds of information when recalling a television commercial and describing a product, gradually using multiple attributes when comparing brands of a product group.

This research, like the Winick's application of Piaget's developmental stages to television, offers insight into why ACT wanted age group specific programming. The wide assortment of articles done by the leading mass communication scholars helps researchers understand why adult and children communicate differently. Of chief importance to the present research is the notion that children are special audiences who have different and ever changing communication needs.

In a more detailed study, psychologist Grant Noble's *Children In Front of the Small Screen* looked at television and child development using Piaget's idea that chronological age determines the way the child thinks and reacts to the world.[47] Noble analyzed Piaget's developmental stages and television at three different stages. First, pre-operational thought stage, 18 months to 7 years, is where egocentricism colors perception. The child cannot perceive events from any point of view other than his own. This age group may consider television as reality because they cannot understand that people can act dramatic parts. The second stage, the "concrete thought stage" occurs between the ages of six or seven through twelve years of age. In this stage, children's

thinking becomes more organized and they can follow a story line. However, children in this age group still may not be able to understand the motives of the characters. Finally, children understand the intricacies of televised reality when formal operations take place. At this stage, children are over the age of 12 and they are fully intellectually developed.

Noble's research provides a good amount of information about the developmental processes of children and applies them to television viewing, but is dense and may prove difficult for a general audience. Although this theoretical research and research similar to this do not name any specific programs that fit within these stages, Noble is explicit in his descriptions of the aspects of these shows. As a result, the book contributes facts related to age-specific television programs and advertising.

One of the most prominent mass media researchers of children and television was Albert Bandura, who conducted studies to determine the psychological and social effects television had on children after observing a specific type of program. In one experiment, children viewed a television program where the actor exhibited violence toward a doll. After the program, the children were observed acting violently toward a doll given to them in the experiment. In other research he noted that children who see super heroes triumph after using violence are more apt to mirror that behavior. In both cases, the violence on television sanctions the violent actions to the child.[48]

Bandura's study is one of the best-known experiments conducted in the history of mass communication research. However, the laboratory setting of the study precludes its findings to be generalized to a home setting where parents may have a mitigating influence over what their children see on television. Bandura's study also is hampered by the ethical dilemma of inciting violence in young children, which makes the study difficult to replicate in today's society.

While these studies frequently mention the mitigating influence parents can have over the effects of television, rarely do they mention the actions taken by government and other non-familial influences. The Adler, et al. article does address how their research could be used to stimulate regulation, but does not instruct others how do present research to the regulators. Also, these works generally do not contain narrative or anecdotal information that shows the results of these effects. The present research addresses a few instances when children were hurt by advertising appeals. This study also includes parents' words about the influence the broadcasting industry had over their children.

Children's Television Programming

In order to understand the one of the factors that raised the ire of the effects researchers, a review of the literature pertaining to the programming available to children in the last five decades. Specifically, this section looks at some of the programming strategies directed toward children.

Particularly germane to this research are compilations of children's programming from the beginning of television. George Woolery discussed both animated and live-action children's programs in his compilation books *Children's Television: The First 35 Years, 1946-1980*, Part I and Part II.[49] Both books list the names, airdates, and summaries of the shows. The summaries are useful for context during the deregulatory period of the 1980s.

Jeffery Davis wrote a similar book in *Children's Television, 1947-1990*. Davis's book describes what programs were on the air for children. The shows featured are not necessarily designed for children. Some of these programs had a large youth audience, but are not just for children, such as the program *Bewitched*.[50]

Apart from these descriptive indexes of books, some popular culture enthusiasts use a narrative technique to recall programs from their younger years. These tongue-and-cheek analyses appeal to those who enjoy children's media or popular culture.[51] In *Saturday Morning Fever*, Kevin and Timothy Burke praised Saturday morning television from the 1960s through the 1990s.[52] In their book, the authors humorously recalled their experiences and reported others' interactions with Saturday morning cartoons and live-action programs. The authors criticized ACT as being little more than reactionary killjoys.

Texts such as these helps the researcher know what programs were airing before ACT's formation and how that programming shifted as a result of ACT's efforts. Works such as these also provide the perspective of the child viewer toward television in the early days of the medium. While books like these are helpful in providing some contextual information, with the exception of *Saturday Morning Fever*, they rarely include narrative information about the audience's viewing habits. Also these works do not mention how executives, the government, and parents influenced these programs.

Advocacy and Women

Also relevant to any research about Action for Children's Television is advocacy's role in regulation. A discussion of advocacy is necessary because ACT was one of the most prominent grassroots advocacy groups in mass communication history. An analysis of the literature done about advocates determines if ACT followed the model of any successful advocacy groups or if ACT deviated from the strategies other prominent groups used in the past. It is apparent that without ACT there might not have been any significant changes in children's television because ACT's four founders formed their advocacy group there were no other large scale efforts were conducted to

get broadcasters or regulators to address children's television. As the research reveals, each advocacy group, especially those led by women, has its own unique style and strategies for dealing with government and industry. This literature review finds that advocacy does not have to be led by a large, publicly funded body, but by anyone who wants to speak out against some social ill. This literature in the review does not provide the history of these advocacy groups and the reasons the group was started. The present research addresses why the advocacy group ACT was started, the structure of the organization, and its changing strategies throughout its history.

Successful advocacy groups have different strategies for getting their message to those who are in positions to make changes. In many cases, these powerful bodies are government rule-makers. In *Interest Groups, Lobbying, and Policymaking*,[53] Norman Ornstein and Shirley Elder. The research found that groups with money and groups without economic resources can and do compete on an equal footing, but often money is an important resource because it buys publicity with air time and newspaper space. Other determiners of an advocacy groups' success are membership size, organizational resources, leadership, political process experts, and motivational resources or followers.

This book provides essential background regarding the interaction between interests groups and policy-makers. The book is well organized and fairly simple to understand for researchers and a general audience. The book is not a handbook for interest groups, but it could help potential advocates by analyzing aspects of successful advocacy groups. Ornstein and Elder's book may have been a must-have for scholars in the 1970s and 1980s, but it is dated by today's standards simply because three years after the book was published significant deregulatory efforts were made in broadcasting. Each aspect of the book—interest groups, lobbyists, and policymakers—were impacted by this

shift in governance. As a result, the book should not be consulted for current trends in broadcasting policy-making because it is out of date.

Other research on advocacy determined that women adopt different advocacy strategies than men. In Nancy Naples's *Community Activism and Feminist Politics*, a collection of historical and ethnographic essays illustrated that women lead differently from men because of their traditional societal roles.[54] For example, one of Naples's chapters assessed that women are more likely than men to perform the informal and invisible work of building networks linking them together. Women who lead these groups create a "web of solidarity" within these groups.

Most of the chapters in this book pertain to American women's work as advocates. Without exception, the book's contributing authors stated that women have different leadership and advocacy strategies. Naples' book offered well-organized assortment of examples of different instances of women serving as advocates ranging from small community groups to large groups of women who lobby on a national level for social reform. Each of the surviving members of ACT and Lillian Ambrosino's widower argued that ACT would have been run differently if men were at the helm.

Janet Flammang's chapter in the book she edited, *Women's Political Voice: How Women are Transforming the Practice and Study of Politics* finds that women's family experiences give them distinctive leadership identities in the state.[55] Women can defy state interests in order to bring a familial identity to politics. In particular, women become political to reject amoral behavior and affirm human dignity. Similarly, Jean Bethke Elshtain wrote that women lead differently than men because of their day-to-day nurturing and protection of human life. It is this maternal thinking (derived from the practice of mothering) that causes women to aim their attention to the preservation,

growth, and acceptability of the child. A mother can insist on her own values when her children are involved. This theory is seen very clearly in ACT's member's efforts to change national television for their children and for children across the country.

While there are several texts devoted to women's contributions to advocacy, there are few works devoted to advocacy and television. One book, Kathryn Montgomery's *Target Prime Time: Advocacy Groups and the Struggle over Entertainment Television*, discussed the relationship between the broadcast industry and various advocacy groups.[56] Montgomery examined the most significant protests, groups, and pressure campaigns. She also detailed four categories of pressure groups: conservative religious groups think that television is a threat to traditional value; social issue groups believe that television is an electronic classroom; anti-violence groups look at TV's murder and mayhem as being toxic substances; minority groups that see television as a cultural mirror that fails to reflect their image.

Montgomery wrote this book before starting her own children's advocacy group, the Center for Media Education (CME) but her bias toward the advocates over the industry is apparent. The book stresses the responsibility that broadcasters have to serve the public. Montgomery provided easy-to-read accounts about a wide variety of television advocacy efforts in this book. There is some information about ACT, but the book does not contain interviews from the three surviving founders or address the ultimate outcome of ACT's efforts, The Children's Television Act of 1990.

Advocacy groups consist of people who seek change usually on at a large level. Parents who do not start national groups offer advice to other parents on improving television in their own homes. For this reason, guides to helping parents navigate their children's experiences with television are included in this section.

One such guide, Michael R. Kelley's, *A Parent's Guide to: TV Making the Most of it*, tries to give parents a voice against the broadcasting industry.[57] Kelley wrote that the book was intended for parents, teachers, or anyone else who worries about what TV is doing to children. The book encourages these people to be sure that children use television carefully. Some protections that are available for parents are never to have kids watch TV alone and to discuss programs with their children. This book illustrates that it is not necessary for a concerned parent to create or even join a national advocacy group if they want to mitigate the effect television has over their children. One-on-one communication can reduce television's influence over a child.

Another guide, Robert L. Schrag's, *Taming the Wild Tube: A Family's Guide to Television and Video* offers a directory for parents who would like some organized assistance in understanding television.[58] ACT is one of the groups in the directory. ACT, itself created its own guide for parents in *Promise and Performance: ACT's Guide to TV Programming for Children*.[59] ACT's guide has very little to do with the inner workings or history of the organization, but it does discuss how parents can use television to enlighten their children on issues like racial stereotypes and disabilities. By the time this guide was published in 1977, ACT's reach was beyond protecting children from commercial or violent content. ACT was expanding its focus to marginalized images on television.

The three aforementioned books are not based on empirical data, but anecdotal accounts. The suggestions may be viable, but the books do not show any evidence that the tips are what will get children to become media literate. These books also take for granted that parents are watching the same programs as their children throughout the viewing day. To suggest that parents spend several hours a day devoted to what their children are watching on television is shortsighted in light of the amount of time children

spend at school or with others who may have an influence on what they watch on television.

Regulation and the Broadcast Industry

To change broadcasting practices, advocates must approach broadcasters' regulatory agency, the FCC, with their own agendas. The regulation of broadcasting, necessitated by the perceived scarcity of public airwaves. The literature of the regulation of the broadcast media provides information about rulemaking procedures for broadcasters. The information is invaluable for examining how ACT lobbied the FCC and FTC for decades with varying levels of success, depending on who was in Congress and in the White House.[60]

The most well-known book on the subject of the FCC and the role of advocates in the policy-making process is Edwin Krasnow and Lawrence Longley, *The Politics of Broadcast Regulation*,[61] which creates an often-used policy-making model. In the model, the FCC, the Congress, the industry, citizen groups, the White House, and the courts influence how policy is made. The model shows quite aptly that the while Congress and the broadcast industry have a large amount of input (influence) into the FCC, citizen groups and the White House have far less input. Groups with the most input have the greatest say in the output (results) of the commission.

The book provides a simple model with which to understand the FCC's rulemaking procedure. Krasnow and Longley's model illustrates how ACT's efforts fit into the structure of broadcast regulation and subsequent changes in the broadcast industry. The book does offer some examples of when advocates have been involved in the rulemaking process. These examples do not include the history of these groups or their firsthand accounts of their involvement in the process.

In another analysis of the rulemaking process, Willard D. Rowland discussed the struggles among "large political and economic forces of the broadcast industry." In Rowland's *The Federal Regulatory and Policymaking Process*, the author primarily dealt with public and non-commercial broadcasting. [62] In the brief discussion about commercial broadcasting, Rowland referenced commercial broadcasters' economic disadvantage in providing quality, but rarely watched, children's programming. While this book was written before significant deregulatory changes were made in the broadcasting industry in the mid-1980s, Rowland effectively recognized that effective educational programming is targeted to small, specific age groups of children. The only broadcasting outlet able to sustain small-segmented audience on a consistent basis is public broadcasting that is not reliant on a large audience for advertising funds.

William Bluem, John Cox, and Gene McPherson offer television producers insight into the policymaking process in *Television in the Public Interest: Planning Production, Performance*.[63] This handbook explains the public interest requirements of broadcasters. Although many of the FCC's rules for broadcasters have been repealed since the book was written in 1961, it does provide a clear history of broadcaster's public interest responsibilities.

Another work that provides historical context for the regulation of broadcasting is Forrest Chisman's *Public Interest and FCC Policy Making*. This journal article provides an overview of the growth of public interest groups in the 1950s through the 1970s. [64] These groups, which try to speak for those who would not otherwise be heard, often fail at the federal level. Chisman wrote that optimists believe FCC commissioners do not listen to public interest groups because the commissioners are often overworked and understaffed and cannot hear all of the groups that present issues before them. On the

other hand, pessimists believe that the regulators are ill-prepared to deal with the multitude of complex issues brought to them. Further, the regulators have their own self-interest in mind when deciding on public interest issues. Chisman wrote that in order for citizen groups like ACT to achieve greater success, the regulators should educate themselves on the issues and the groups should not be timid when considering litigation against the government.

A few studies have been conducted about specific advocacy groups and their influence over regulatory agencies. One study, Diane McNulty's, *Exploratory Study: The Influence of Interest Groups on the Regulation of Television Advertising Directed towards Children* includes historical and political perspectives in the history of broadcasting for children.[65] McNulty found that the interests groups are influential with the agencies that are sympathetic to their causes.

McNulty's dissertation is one of the few works to include the historical and political perspectives at work in the evolution of broadcasting for children. Although this dissertation deals with commercial content aired for children, there is contextual information in the work that is important for this researcher's work on children's television programming. McNulty uses a variety of research to illustrate the regulatory history of the regulation of children's advertising and includes several regulatory documents. The present research does cover many of the same years as the McNulty dissertation, but the present study focuses on educational programming regulation more than ACT's involvement with advertising regulation.

There have been a handful of studies conducted focusing on Action for Children's Television. Gary Oscar Hipp's 1973 master's thesis, *Saturday Children's Television Revisited* is one of these.[66] Hipp's work describes the changes in children's programming

since ACT's 1971 petition to the FCC. Hipp finds that violence still remained on television, but it had decreased. Further commercialization was still rampant on television two years after ACT asked the FCC to regulate children's television programming.

Hipp's shows that there were some changes resulting from ACT interest in program regulation, but the 1973 completion date signals that the entire story of ACT cannot be told here. Further, Hipp's project merely replicates studies done by F. Earle Barcus. There is very little background on the women who made up ACT at that time. There also is no information on the management of the group.

Another work that has some focus on ACT is Heather Hendershot's, *Saturday Morning Censors*.[67] In the book, Hendershot discusses regulation of programming content before the V-Chip regulations found in the Telecommunications Act of 1996. Included in this assessment are the efforts of ACT to change children's programming. Hendershot's research shows that there have been consistent efforts to alter programming throughout broadcasting history, but the author does not go into great detail about the background of these organizations. Chiefly, there is no information about the ignored founders of ACT, nor is there a lot of information about the day to day running of the organization.

The work most closely in line with the present research is Tracy Halcomb's dissertation, *Action for Children's Television and the Federal Communications Commission: A Comprehensive Assessment from 1968-1992*.[68] The purpose of this dissertation was to study the regulatory interaction between the interest group Action for Children's Television (ACT) and a federal agency, the FCC, from 1968 to 1992. Halcomb developed an interest group framework and compared it with ACT's structure to

determine if ACT was similar to most interest groups trying to influence policy at the federal level.

However, Halcomb's dissertation did not include any information about the inner workings of the organization. By analyzing ACT in a framework, Halcomb negates the strength of the personalities behind the group. The present work contains interviews from founders and some of their children to examine the organization's people—not just their practices. The biographies of ACT's four founders lend insight as to why they were so vigilant in their grassroots efforts. Further, accounts and anecdotes from the founders illustrate ACT's interaction with the broadcast industry and the government. Of course, the political environment determined ACT's varying levels of success, but, as the dissertation reveals, ACT's success also was due, in large part, to the personalities of the women in the group. The group will be remembered both for the regulatory reforms they instigated and their maternal approach to the regulation.

Literature about regulation rarely, if ever, provides a narrative, which tells the story behind a specific rule. Moreover, a review of broadcasting regulation does emphasis the importance of advocacy groups.[69] Though there are a few exceptions, the role of the advocate is often overshadowed while credit for programming rules is given to the broadcasting industry's collaboration with the FCC.

Women in Mass Media

In the regulatory history of the broadcast media, work about ACT is unique because the role of women in regulation is rare. Overall, the contributions of women are not found in most aspects of media literature, but there are some works that rectify this. There are some works about women seeking careers in academia or in the industry itself. Other literature gives biographies about these women, which includes information about

these women's paths to success.[70] A review of the contributions of women in mass media shows that while women have made sizable on-screen achievements as actresses or reporters, there is very little discussion about the role women have made behind the scenes as producers or managers. Even fewer works exist about the role women have played as voices for change.

The richest sources for the stories of these women are found in biographies. Unlike other types of literature, biographies of these women are devoted solely to the lives. These biographies offer information about how the women's upbringing influenced the decisions they made as adults. Nancy Signorelli's *Women in Communication: A Biographical Sourcebook,* [71] includes the biographies of such influential women in mass communication as reporters, scholars, and activists including Connie Chung, scholars, like Ellen Wartella, and ACT's Peggy Charren. The biographies are written by many different mass communication scholars and, for that reason, contain varying levels of information.

Biographical information about women who worked in the broadcasting industry can be gathered from Cary O'Dell, *Women Pioneers in Television: Biographies of Fifteen Industry Leaders*.[72] O'Dell's book examines how women changed the broadcasting industry's use of women on the air and in management positions. The book also tells how these women have changed society through their work. The fifteen women had both poor and wealthy upbringings and participate in careers on and off camera. Among these women are well-known personalities such as television icon Lucille Ball and reporter/spokesperson Betty Furness and lesser known women such as *Sesame Street* founder Joan Ganz Cooney and Charren of ACT.

The shortcoming of this type of biographical literature is that it tends to focus on the most well-known of these women. The lives of women who worked behind the scenes or those who had a smaller part to play are important for readers to understand that women were present in many aspects in the development in mass communication. By just focusing on a select few, the other women's contributions are obliterated. The present research tries to correct some this practice by highlighting the lives of the three other founders of ACT whose influence has not been discussed in more recent studies of women's contributions to the media or in works about ACT. Each of these women lent their own talents that ultimately helped create children's television regulation. Their work should not be ignored simply because they did not stay with the organization for 23 years. The history of broadcasting and other fields is undoubtedly full of the guidance of scores of unheralded women. This research illuminates the work of three of them.

Preliminary Outline

Chapter 1: Introduction

This chapter includes a summary of ACT's 24-years of work, a review of pertinent literature, the methodology used in the dissertation, and the significance of the work.

Chapter 2: The Founding Mothers

This chapter discusses the childhood and education of the four women who founded ACT and look for possible causes for each woman's activist spirit. These four women—Lillian Ambrosino, Judith Chalfen, Peggy Charren, and Evelyn Sarson—were from different backgrounds, but their interests in children and media led them to work for improved children's programming. Through a bit of serendipity, these four dynamic

mothers met and joined to form an advocacy group that ultimately changed the content of children's television.

Chapter 3: Meeting of the Minds

This chapter deals with the earliest meetings of this busy group of mothers to address ACT's structure and day-to-day activities as an activist group in the 1960s. During the years 1971-1974, ACT gained much attention by conducting public protests, speaking to PTA meetings, and organizing parenting conferences. These activities served as ways for ACT to gain membership and attract money.

In 1971, ACT sent a petition to the FCC requesting regulations regarding children's television programs and advertising practices. After ACT sent its petition to the FCC and the FTC, the agencies requested comments from interested parties. Broadcasters, fearing government intervention, made some concessions in accordance to ACT's petition. This preemptive strike proved to be short-lived as the regulatory measures were somewhat vague and unenforceable. The chapter ends in 1974, with the Federal Communications Commission's first, but weak, policy statement about broadcasters' requirements to serve children.

Chapter 4: Regulatory Activities

This chapter discusses several of ACT's proposals to federal agencies for regulations pertaining to children's media. First, the chapter addresses ACT's requests for the FCC to reconsider the 1974 policy statement regarding children's television programming and commercials. Next, the chapter looks at ACT's attempts to get the Consumer Product Safety Commission to prohibit toys that shot projectiles, such as missiles and slingshots. Finally, the chapter addresses ACT's desire to have the Federal Trade Commission regulate food advertisement during children's programs. Although

none of ACT's forays to regulatory agencies were successful, the group caught the attention of broadcasters and advertisers.

Chapter 5: Expanding Activities

Not only did ACT's efforts at federal regulatory agencies catch the attention of broadcasters and advertisers, but ACT also received attention from others. Between the years of 1974 and 1980, ACT received numerous requests to support children's media projects from organizations such as the American Pediatric Association and the American Dental Association. During these years, ACT also was hosting national conferences about children's television. Additionally, these years saw ACT's membership and funding expand. At this time of immense growth, ACT's leadership structure changed. ACT's first president, Evelyn Sarson left the day-to-day management of the group, leaving the most visible position in the organization with Peggy Charren. After Sarson's departure, Charren took the lead in the group and became ACT's outspoken representative for remaining the eighteen years.

Chapter 6: Deregulation of Children's Television

In 1980, Ronald Reagan was elected President of the United States. One of the administration's platforms was smaller government and fewer regulations. To accomplish this initiative at the FCC, Reagan appointed Mark Fowler to chair the agency. The FCC, under Fowler, a fervent deregulator, repealed the FCC's 1974 policy statement regarding children's television. The Fowler-led commission determined that children could find educational opportunities outside of broadcasting and in new technologies such as cable television and the VCR.

The deregulation of government proved detrimental to children's educational television and would have been more destructive to ACT in the 1980s. After

deregulation, broadcasters were free to seek money-making opportunities, regardless of the needs of their audiences. As a result, many broadcasters, especially poorer independent stations, entered into agreements with toy manufacturers, that allowing the toys to be advertised during programs based on the toys. This non-stop commercial was known as the program-length commercial and proved to be a controversial process in the history of children's television programming. Broadcasters also tried to garner the largest possible audience as possible by airing programs with light plots and heavy violence. ACT repeatedly asked the FCC to formulate a rule regarding these program-length commercials without success. It took Fowler's 1987 resignation from the FCC and Congressional activity before any significant progress was made toward ACT's goals.

Chapter 7: The Children's Television Act and the End of ACT

Although the FCC continually rejected Charren's requests for most of the 1980s, the U.S. Congress had elected to hear her late in the decade. The lobbying resulted in the Children's Television Act of 1990. This statute instructed the FCC to mandate that broadcasters meet certain children's programming and commercial standards if they are to maintain their broadcast licenses.

This chapter also looks at the structure of ACT in the 1980s and the pivotal role Peggy Charren played in the passage of the CTA of 1990. The passage of the CTA led to the end of ACT in 1992. According to Charren, the Children's Television Act was all that ACT had been asking for since 1968. Once the CTA became law, there was no need for ACT to continue. The chapter continues to trace the FCC's formation of rules to bolster the legislation.

Chapter 8: The Conclusion

This chapter provides an overview of the research and discuss the impact of ACT on children's television and the lives of the founders.

Implications

This study is beneficial to those interested in television history, women's contributions to society, and children's television programming. First, ACT was an instrumental force in propelling changes in television. The present study is the first to address ACT's work in a constantly evolving environment of dynamic media technology, programming strategies, and political forces. Second, this research also is the first time that the voices of ACT's founding members and their families are be heard discussing what it meant for mothers to be speaking out for American and their own families. No study about ACT has addressed the result of having mothers running such an influential group. Not only were the network executives and politicians forced to react to the women as advocates, but as the representatives of mother's whose children watched network programming and advertisements. Motherhood also influenced the way the organization was run, as the leaders were rearing young families.

Until this research project scholars have turned to Peggy Charren for motivations behind Action for Children's Television, when, in fact, there were three other women who added their talents and past experiences to ACT's foundation. This study relies on the recollections of these three forgotten women and their families, while most research ignores them. Charren's contributions are, indeed, significant and elemental to the history of children's television regulation, but accounts from Judith Chalfen, Evelyn Sarson, and Lillian Ambrosino's late husband reveal that these other women were instrumental in the foundation of this long-lasting advocacy group.

Notes

1. Bozo the Clown History. Http://www.yesterdayland.com.

2. Action for Children's Television Newsletter, vol. 1, no. 1, 18 October 1969.

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4. Ellen Goodman,"ACT Spells 'Action for Children's Television': Mothers win first battle in TV War, " *Boston Globe*, February, 1970.

5. Host-selling is the process in which the host of a television program advertises a product during the show. ACT was particularly addressing the times when the hostess of *Romper Room* would declare the virtues of a brand of orange juice to children on the program.

6. K. Kelly, "Junior Season Opens," *Time*, 20 September 1971, 20. A study commissioned by ACT determined that more that half of all children's concerned crime, supernatural situations or characters in strife.

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9. "TV's Saturday Gold Mine," *Business Week*, 2 August 1969, 96.

10. Among the works that deal with violent television content and children is Barrie Gunter, *Dimensions of the Violence* (New York: St. Martins Press, 1985).

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16. Communications Act of 1934, 47 USC §151.

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CHAPTER 2
THE FOUNDING MOTHERS

Children's Television in the 1960s

Children's television in the late 1960s was a colorful array of cartoon super heroes and talking animals.[1] On Saturday mornings, anvils and sticks of dynamite continued to foil the likes of Wile E. Coyote and Sylvester the Cat.[2] Faster than a speeding bullet, elementary school kids were glued to the programs featuring amazing and often violent super heroes such as *Roger Ramjet* who introduced himself as "Daredevil, Flying Fool, and All Around Good Guy" and the fast-swimming, crime and pollution-fighting *Marine Boy* and *Aquaman.*[3] The A. C. Nielsen television ratings company estimated that some 15.6 million children tuned in to these shows each Saturday morning.[4]

While children flocked to these programs, some adults watched the shows to research the effect the violent or commercial content had on children. Television researcher S. I. Hayakawa found that because television was an all-consuming appliance children became alienated from their parents. He also found the isolation inherent in television caused children to become easily bored with human conversation.[5] Not only did the programs make children less gregarious, the shows also made them more violent in some cases.[6] In the 1960s, Albert Bandura found that children who watched violent content modeled and acted out violence they viewed on television. In an experiment, children viewed a television program where the actor exhibited violence toward a doll.

After the program, the children were observed acting violently toward a doll given to them in the experiment.[7]

However, commercial television did offer some educational programs such as *Romper Room* and *Captain Kangaroo* taught pre-schoolers letters and numbers, but they were the exception.[8] Commercial broadcasters consistently cited the lack of advertising dollars that these programs generated for their reluctance to air these programs. Those who sided with ACT found that by and large, broadcasters were airing programs not to influence positively children, but to captivate large numbers with colors and music. Once captured, advertisers were free to display their wares for unsuspecting eyes. During the commercial breaks from these shows, children were bombarded with spots for sugary cereals and plastic toys.[9] Large corporations capitalized on their children's products. Companies such as Mattel, General Mills, and Kellogg's spent about $70 million in advertising each year trying to reach young viewers. It was estimated that Saturday morning programs, alone, garnered $20 million in 1969 for the advertisers.[10] However profitable these programs were to the advertisers, the shows did not benefit the young viewer. The combination of these advertisements and the poor programming of children's shows created a "wasteland" on television.[11]

Action for Children's Television (ACT) would change this wasteland. In the late 1960s, four Massachusetts mothers recognized the lack of educational programs available to their children and decided to do something about it. Their backgrounds, families, and humor combined to make four housewives from Newton, Massachusetts, formidable opponents for the government and the broadcast industry.

These women—Lillian Ambrosino, Judith Chalfen, Peggy Charren, and Evelyn Sarson—organized Action for Children's Television, a group that sought increased

government regulation in children's television and decreased advertising. The founders of ACT laid the groundwork for children's television regulation in the 1970s, 1980s, and 1990s by presenting its case to the Federal Communications Commission, the Federal Trade Commission, the United States Congress, and U.S. presidents from Nixon to Clinton.

Throughout their work, the women of ACT made significant contributions to children's television and the overall history of broadcasting. Policy-makers credit the women of ACT with shaping present-day children's television programming and advertising regulations. Although the group's leadership changed over time, the organization always maintained the aims it set in the first few months of its existence. With these consistent goals, ACT exemplified the impact advocacy can have on government. The story of the beginning of ACT is one of group dynamics, combined with each woman's individual desire to improve television for their own children, as well as children around the country.

This chapter discusses each woman's life, the role she played in the organization and ultimately, the role she played in children's broadcasting history. Marrying this information will illustrate how their backgrounds prepared them for their roles in the new organization. Each of their roles was significant in shaping the organization's long-time platform and reputation.

Lillian Ambrosino: The Brains Behind the Organization[12]

In 1971, one of ACT's founders, Lillian Ambrosino, penned a book to aid runaways and their families. Mrs. Ambrosino's lifelong commitment to aiding others is illustrated in her encouraging words written in the book's preface. Ambrosino wrote

> Everyone, everywhere wants to run away from something. For some, the thought of running away is nothing more than an escapist fantasy; for others it can be dispelled with a change of pace of routine. But for some, there is no alternative but to take physical leave of an unbearable situation. They run away, usually in secret and in warm weather, to cut the ties that hurt. They run to hide, to escape, to forget, to follow a dream . . .to begin. Taking such leave can be a cry of pain or sign of health seeking surface.
>
> This book is dedicated to both kinds of runners in the hope that it can help some of them find the life they so desperately want to live.[13]

These sentiments are just one example of Mrs. Ambrosino's dedication to helping others and education.

One of these opportunities to serve others came in the in the mid-1970s when she worked at the controversial Newton-Roxbury Freedom School.[14] At the Freedom School, white children from the wealthy Newton area of Boston would get together with poorer black children from Roxbury, at the other end of the Boston subway line.[15] Students would meet regularly to "participate in activities that at least got the white kids and the black kids together."[16] At the Freedom School the children would work on projects, sing songs and hone their academic skills. The school was a "reaction to the *de facto* segregation in the Boston schools. In the movement called *Boston School Stay Out*, parents would keep their white children out of schools and send them to the Freedom Schools set up in churches and basements.[17]

Perhaps most the best example of her desire to reach out to those who were less fortunate, Mrs. Ambrosino got a Boston College of Law degree in the 1973 to reach out to others. Her husband proudly recalled,

> She was angry at the way the law was used to deny rights and wanted to empower people. I think she intended to use her law school education for children's television, but for whatever reason, gravitated away from that and set up practice for two years with three other law students and a law professor in south Boston

> (an economically depressed area). The purpose of the law firm was to establish itself in a poor neighborhood to give low cost law service to people who could not ordinarily afford legal service.[18]

By 1978, the law firm was no longer solvent. The firm could not survive because, "it quickly became clear that the income of those who couldn't afford to pay real legal fees wasn't enough to support the firm."[19]

After that firm closed, Mrs. Ambrosino set up practice in her home. There, she represented many independent filmmakers. Even in this work Ambrosino maintained her commitment to empowering those who needed help. After she died, her husband read a number of letters during her memorial service from people "who wrote to say that she had saved their company by empowering them. She believed very much in people doing their own law. Instead of just doing their contract, she would have them participate as much as possible."

Lillian Akel Ambrosino was born in Binghamton, New York, in 1933, to an Arab-American family.[20] Ambrosino's widower Michael said her family's ethnicity influenced her activist spirit.[21] Mr. Ambrosino said his wife's "growing up as an Arab-American and having a couple of incidents when she was very young where she felt she was denied access had a great affect on her life."[22] The racism Ambrosino experienced may have been an extension of long standing views. In his book, *Orientalism*, Edward Said wrote "Muslims have experienced a considerable amount of prejudice in the United States. In addition to general public ignorance about the teachings of Islam, there is an accumulated heritage of mistrust that have lingered since the Crusades."[23] As a result, Mrs. Ambrosino sought opportunities to better other's lives.

In her early life, Ambrosino nurtured her interest in the public good by majoring in political science during her undergraduate years at Cornell University in Ithaca, New York, close to her family's upstate New York home. At Cornell, Ambrosino, an avid reader, relished reading the works of political theorist "and other rabble rousers."[24]

After graduating at the age of 22, she moved to Boston, Massachusetts, where she soon she landed one of four new positions at Boston's public television station WGBH.[25] Again, she demonstrated her commitment to the public good by working at WGBH, one of the country's most productive public television stations.[26] WGBH's long-time mission was to "encourage, in an atmosphere of artistic freedom, to learn and appreciate the history, the sciences, the humanities, the fine arts, the practical arts, the music, the politics, the economics, and other significant aspects of the world . . .thereby to enrich and improve lives."[27]

Not only did working at WGBH improve the lives of its audience; it changed Lillian's life as well. When Ms. Akel arrived at the station's congested office of 35 employees to begin her job as a radio producer, she found her desk had been moved.[28] Another new hire, Michael Ambrosino, a radio producer, was responsible for the move. Most significantly, Mr. Ambrosino said one of his "first jobs at the station was to redesign the small room for all the new bodies. I 'accidentally' moved Lillian Akel's desk next to mine."[29] Akel married her office mate in 1957 and her widower said they had "one of the world's great romances" until her death from cancer in 1995.[30] Mr. Ambrosino's other jobs included developing programs such as the documentary-based program *Nova*, he also hired other producers. He hired Englishman Christopher Sarson, the husband of ACT's first president Evelyn Sarson, to develop the educational children's program *Zoom*.

Shortly after her marriage, the new Mrs. Ambrosino embraced her love for learning and enrolled in Harvard University's Graduate School of Education in the early 1960s. After earning her master's degree in education, she continued her work in education by developing curricula for the Boston-area schools. Ambrosino also used her education degree and interest in television to conduct research "in public broadcasting, making sense out of the statistics involved in *One Week of ETV* (an educational television project) and literally overwhelming the total memory capacity of MIT's massive IBM 7040 computer."[31] Between her work and schooling, the Ambrosinos had three children—Julie, Michael and Jonathan—were born in 1960, 1961, and 1966, respectively.[32] The Ambrosino's need for a larger home for their growing family, serendipitously led Mrs. Ambrosino to join ACT.

In 1968, after looking for homes, the Ambrosinos settled on a large vintage tri-level Victorian home in Newton, Massachusetts, a suburb of Boston. The home's seller and ACT's first treasurer Judith Chalfen recalled

> Lillian and her husband bought our old house. My husband with two of our three kids lived in a house that was bought by Lillian and Mike Ambrosino. . . .So we moved around the corner because we needed a garage to keep things in and that house didn't have one. We only had parking for one car and an office. The Ambrosino's used the third floor for their offices, which we had done, but it wasn't enough for (us). We moved around the corner to a bigger house. . . .Mike (Mr. Ambrosino) lived there for 37 years or so.[33]

The real estate transaction established a friendship between the couples. Specifically, the wives discussed their volunteer activities and commiserated about their children's television choices. Judith Chalfen remembered the day she called her friend Lillian about a meeting at another friend's home. Chalfen said

> Peggy (Charren) called me and asked if my kids were watching this terrible junk (on television) and that we had to do something about it. She said, 'I'm having

> some people over.' I said, 'Can I call Lillian?' So I called her up and asked if she wanted to go to this meeting where we were going to see what we can do about children's television.

This series of telephone calls culminated in what was the first meeting of ACT's founders.[34]

Judith Chalfen: Local Renaissance Woman

ACT's first treasurer was Judy Chalfen. Throughout the course of her life she participated in a variety of activities that all helped her become a vocal and active leader in the organization. Judith Resnick Chalfen was born June 26, 1925.[35] Chalfen said "we lived in the West end of Boston, which was downtown. I would call it a lower income, working area."[36] Her father, Abram, was active in politics and instilled that spirit in his daughter. Chalfen said,

> My parents were involved in everything. . . . My father used to organize Jewish community centers in various communities in the Boston area. He was someone who could get programs going, who could interest young people. . . . My father was a lawyer and a social worker, and he ran a summer resort for grown-ups when I was little. We were always around people. He was very liberal, very interested in politics. I remember hearing Roosevelt speak on the Boston Common. He (my father) took me to hear him.[37]

Even at a young age she could appreciate the power of his message because it encouraged her to get involved in Democratic political campaigns beginning in 1944.[38]

Politics was not her only love, as she also was interested in the arts and theater since her youth in the Boston area. Chalfen recalled, "I was on a radio program when I was in high school and did some plays in the local settlement houses. (Famous actor) Leonard Nimoy and I were in the plays together. I was the Pied Piper of Hamlin and he was one of the little kids."[39]

Once she was at Smith College, Chalfen's interest in being artistic lost out to her desire to be financially well-off. She said,

> I majored in economics because that is what I thought made the world go 'round. Actually I should have majored in art history, because that is what I like. Anyway, I never did anything with economics. Then I took a writing course and in radio script writing and loved it.[40]

Once she graduated in 1947, she moved to New York City and, much like she did with her college studies; she dabbled in several fields with various levels of success. Chalfen humorously recalled,

> I worked in New York after college at WOR radio station. I thought I was going to be a big radio scriptwriter. Anyway, I left WOR to take a job with the Trade Union Courier, which lasted one week. I couldn't quite figure out what they wanted. And then I started working for a literary agent.[41]

Chalfen's indecision brought her back to her hometown of Boston where she married Harvard University graduate student Melvin Chalfen in 1949. Her first job in Boston was at the Lowell Broadcasting Council, a loose consortium of Boston-area universities and cultural organizations, such as Harvard University, Boston College, Emerson, and the Boston Symphony Orchestra, which provided educational programming in areas, like the symphony, to radio listeners.[42] At the council, Chalfen worked as a multifaceted secretary.[43] On the WGBH alumni web page Chalfen wrote, "no one knew what to do with the secretaries. So we did type, but also edited tape, clipped newspaper, and ran an ancient switchboard."[44] The Lowell Broadcasting Council was, and still is, a producer of some programs that aired on WGBH radio, the first public radio station in Boston.[45]

Five months pregnant with her first child, Robert, in 1952, Chalfen stopped working at the council and became a stay-at-home mother because "in those days you got

pregnant, you left."[46] During this period it was not uncommon for women to leave work when they had children. Sociologist Judith Agassi wrote,

> Women almost universally have the care of the children, especially infants and small children at least up to age 6 or 7. . . . The birth of the first child marked the stage in most women's life cycle when they left the labor market for a long period or even permanently. At this point, additional strong norms about the proper feminine role come into play, which condemn any desire of the young mother to work outside her home as both unnatural and callous.[47]

Even though Chalfen was no longer working outside of the home she remained active in a myriad of organizations. She said she joined "the League of Women Voters because that is what you do—it was local politics, local schools and the PTA."[48] She also participated in some anti-Vietnam War protests in the late 1960s. Chalfen's middle child, Daniel said being in the constant presence of activism, "was a very influential example of social change activism. It gave me an even greater sense that one could organize and really make a difference in the world. It made an impression that lasts to this day and continues to help guide my own efforts to make the world a better place."[49]

After having Robert in 1952, Chalfen's son Daniel was born in 1957. Her "surprise" baby, Andrew joined the family seven years later.[50] In 1968, Chalfen's varied interests turned to improving what her youngest son Andrew was watching on television and children's television advocacy. Her children's television viewing habits were widely different because they were born at different times in the history of TV. Chalfen explained that

> Rob was born in 1952. We didn't have a TV set until 1957 and Rob was in high school and college when we started Act. You must remember that television was relatively benign in those days and commercialism was creeping in. Andy is the reason we started ACT. He was born in 1964 and the worst was upon us—violent Japanese cartoons, and children shilling for Tropicana orange juice on *Romper Room*, etc.[51]

It was her youngest son Andrew who was most influenced by television content. Andrew Chalfen, born in 1964, was "quite loyal" to public television fare like *Sesame Street* and the live action, interactive show *Zoom*, said his favorite childhood television shows were "the classics."

> Any Warner Brothers cartoon from the late '30s through the early '50s; especially Bugs Bunny. Endlessly repackaged for Saturday morning along with later ones from the '60s, which even as a kid, I instinctively knew were more poorly rendered and not as funny. Especially Hanna Barbera cartoons, which I watched only because they were on. That's the thing: one watched what was on. I watched tons of TV. . . . I was pretty addicted to the medium by an early age. . . . I knew that adults didn't think much of the educational value of the networks' 'Saturday Morning Supershows' that I loved. But what really got my folks' goat were the relentless ads, and since I really didn't have an opinion of my own about ads, I adopted theirs (even though I frequently desired some of the products advertised).[52]

Chalfen got involved in children's television advocacy when her longtime friend and fellow community activist, Peggy Charren, contacted her. Chalfen said,

> we were friends before. We were tillers of the Democratic Party. We would get out the vote for school committees. We were activists in the community and organizing something about our children came naturally to us. Actually, Peggy and I met through mutual friends in the 50s and we were very good friends for a long time and I'd hate to say this, but Peggy is your best friend when she needs you. But we liked each other. We were both avid readers. We didn't have similar childhoods, but we were interested in the same kind of things.[53]

Ironically, it was their similar interests that brought them together to form ACT, but the organization also led to the end of their good friendship. As their involvement with the organization increased, Charren and Chalfen's friendship deteriorated because of disputes over management and organization practices.

Peggy Charren: A Bohemian, Not a Bolshevik

Peggy Charren said, "There has always been a part of me that if something is broken, I'm gonna fix it. I'm one of those people who send back a dinner in a restaurant

if it is not right. This, of course, embarrassed my daughters to no end when they were growing up. But I've always thought if you go around accepting things the way they are, they'll never get better." [54] These words have been Peggy Charren mantra long before she helped to found ACT. Her "fix it" until it is right mentality led her to stay with ACT for over 20 years.

Peggy Walzer Charren was born March 9, 1929.[55] She grew up with her middle-class Jewish family in an apartment on Madison Avenue in New York City. Although her parents were not activists, they had a "good sense of values."[56] She credited her activist spirit to her parents. She said,

> The political situation in the country at the whole time I was growing up was not terrific. They (her parents) knew everything that was wrong with the country in the 30s and 40s in a Roosevelt family. By that I mean Roosevelt sympathizers, not the Roosevelt's family.
>
> (I had) a mother and a father who cared about what we now call civil rights and the civil rights movement before there was a civil rights movement, who understood that there were tremendous inequities in the way the country dealt with people. We're Jewish, but grew up in New York and I never felt persecuted. I thought everybody was Jewish (laughter). Although, I am sure my parents understood persecution and Jews, but that wasn't part of where we were coming from.
>
> My grandparents came over here before there was that kind of trouble. They were here in 1900, not 1939, so there was that in my background and because of that, all the issues: the labor movement. I got sent to a camp where you learned all of the labor songs, you know with a good guitar and a player and no teams. And it was that kind of bringing up that prepares you to look at what was wrong with society and maybe I can fix it.[57]

Charren's grandparents immigrated to the United States during a mass immigration of Eastern European Jews to the United States between 1880 and 1900. During that time 675,000 Jews entered the country. Once they were in the U.S., the Jewish population comprised 79 percent of the population of lower Manhattan.[58]

Her teen years were ones of much reflection and not rebellion. She said her self-reflecting days,

> I didn't have much to rebel against. I was in pretty good shape. I mean middle class, nice apartment—Madison Avenue. Too bad they turned into condos. So, it wasn't rebellion. It was more hanging out and in Greenwich Village. I was thinking of myself as a Bohemian, not a Bolshevik. Ta Da![59]

At Connecticut College, Charren memorized Milton's *Areopagitica*. *The Areopagitica*, written in 1644, is free speech theorist John Milton's speech that professes that open discourse advances the common good.[60] Since reading the work in school, free speech theorists, like Milton, became her heroes. After graduating from Connecticut College in 1949 with an English degree, she received a true education in free speech.[61] That was the year, her uncle, Sydney Buchman, a vice president of Columbia Pictures and writer of *Mr. Smith Goes to Washington* was accused of being a Communist.[62] Charren said, her family "got caught up in McCarthyism, which is a political education all itself. . . . There is nothing like worrying if your phone is tapped to politicize you. Those were black days."[63] Although she was always interested in the rights of others, this scare raised her political ire.

However, prior to becoming a career activist, Charren held several jobs before founding Action for Children's Television in 1968. None of them had anything to do with the law or children's television. She ran the film department of New York television station, WOR, and an art gallery.[64] In 1951, she married Stanley Charren.[65] When the Charrens were first married and living in Providence, Rhode Island., she complained that she couldn't find a good frame shop, so she opened one. After moving to Newton, she went to a book fair to buy children's books at her elder daughter Debbie's school.[66] She knew she could run a better one, so she ran Quality Book Fairs for several years.[67]

However, when her second daughter, Claudia, was born she elected to stay home to be with her daughters. She soon sought a hobby to keep her occupied while she waited for her children to begin school. Charren recalled

> I really started ACT because of lousy daycare. When my second daughter Claudia was born, I couldn't get out of the house, so I thought what can I do to keep busy, and was able to still do at home, and when the kids start to school I'll start up the children's book fair business. Why don't I try to fix television so it provides more choices for children and particularly programs based on books which were missing from TV in 1968. For the most part, the broadcast industry was little monster cartoons for kids. . . if they weren't monster cartoons they were some dumb little cartoon. But there weren't a lot of choices. Adult television had many more choices. I thought I should be able to fix that in two or three years, I thought.[68]

Charren considered that "if I didn't have children, I wouldn't have done what I did." However, she realized that "having children did give me direction."[69]

So what was supposed to be a temporary distraction during her children's preschool years, turned into 24 years of work. Charren reasoned,

> When you want to fix the way something is working you look to the law. It worked and I trust the democratic process. . . .And if the law isn't working eventually it will get changed. It took a while to change slavery and we are still suffering from that. . . . Courts don't work like that and hearings don't work like that. Look how long it took us. It took us 30 years to get a ruling that give children more choices.[70]

The decades long process began after Charren invited her friends and neighbors to her sitting room one November night.

Evelyn Sarson: An English Woman Becomes an American Activist

Evelyn Kaye Sarson was born during the Second World War in England. Kaye attributes her activist spirit to this tumultuous time in Europe. In the early 1940s, Sarson was sent, along with hundreds of thousands of other children out of England to protect them from air raids and bombings.[71] She recalled,

> I was born in London in 1939. Then the Second World War broke out and the Jewish community knew what was happening in Germany. The British government was very worried that London was going to be bombed. They organized a national policy of evacuating all of the children out of London. It was an incredible scheme. My husband—who isn't Jewish—got sent with his sisters to the North of England. Kids were sent to country houses to stay with families they didn't know I and hundreds of other children, Jewish and non-Jewish, were sent to America and Canada. I spent three and a half years in Toronto with my grandmother who took my two cousins and I there. I grew up there between the ages of two and a half and five with my Polish grandmother.[72]

Although her time in Canada was brief, it had a lasting impact on her life. Sarson said, "What I learned there was that you can stand on your own two feet and you didn't need all of this support."[73]

Sarson's experience was like that of hundreds of thousand of other British children. War historian Roy Lowe wrote

> For most children involved (in the evacuation) the effect was traumatic. These younger elementary school children were separated from their families. . .and taken alone to the homes of well-meaning hosts who were usually from completely contrasting social backgrounds to the evacuees; it is hardly surprising that the scheme soon provoked strong comment and seemed to be a failure. [74]

When she returned home at six years old, it soon became apparent to her parents that she would not conform to their expectations when she began attending school. She said, "They tried very hard to turn me into a proper English lady, which was very tough. I think I learned early on that you can do anything you damn well please."[75] She demonstrated her contrariness in school. Sarson said, "I went to a very proper academically challenging girls' school from the age of seven to the age of 18. This was a private school where everyone was supposed to go onto university."[76] But she did not attend any university. Sarson recounted,

> It was very hard for girls to go to university. All the girls had to take entrance exams and the boys didn't; they just got in. I had a place and I had to polish my Latin. I failed my Latin. I was supposed to take a year off and take it again. In

> the year off I went to a secretarial course for six months. The secretarial course was full of women who had degrees in English literature who had just finished their university courses and couldn't get a job without a secretarial course. I thought, boy maybe I could skip that stage.[77]

After working as a secretary for a few years, she tried her hand at newspaper reporting for the Reuters' news agency thanks to a recommendation from a friend. She thought this period was "great fun." Her job as reporter in the early 1960s took her to places she would not have otherwise gone. Sarson recalled,

> There were very few women on newspapers anywhere in the media at that time. They desperately needed a woman because the one woman who covered fashion for them had gone back to America. This was the year that the Kennedys came to Paris. I would have paid them for what I did. I went to a debutantes' ball in Versailles in a borrowed dress. I covered strikes in the streets and a mining disaster.[78]

She believes she was fired from Reuters not only because she was one of two women working with 400 men, but she was a woman getting "plum assignments . . .But that's life."[79]

In 1963, while working for the *Manchester Guardian* newspaper, she met and married young television producer, Christopher Sarson. Christopher had a job at Granada Television in Manchester, but the couple wanted to travel around the world on their honeymoon. But the newly married Sarsons were mistaken.

> We thought we would spend three years traveling. We'd spend a year in America, a year in Australia, and a year in Geneva. So we got married and we had these Greyhound $99 "Around the World in 99 Days" bus tickets. The week before we left it turned out I really was pregnant—it just wasn't the excitement. My doctor told me people had babies in America just like in England. I figured I would probably survive. So I decided that I wasn't going to miss out on this trip.[80]

By sheer fluke, Christopher was offered a year-long producing job in Washington, D.C., soon after arriving in the United States. Sarson remembered getting a

good lesson in American politics her year in the American capital a few years after covering the Kennedys in Paris. She explained,

> We were there when Kennedy was shot and we went to the funeral procession. It was all very dramatic. Kennedy was such a beacon to young people in the 60s. He was like the only young leader in the Western World. It was very exciting to be an American at that time.[81]

Fate also led the Sarsons to Boston. WGBH producer Michael Ambrosino recalled the Sarsons "were invited to a Ford Foundation seminar in Toronto. I think the purpose of which was that they would meet me and I would offer Chris a job."[82] It was there that Christopher Sarson, producer of the children's show *Zoom*, met Peggy Charren when Charren was taking a tour of the station. Charren commiserated with Christopher about the poor state of children's television and was intrigued to hear that someone else was voicing what he heard his stay-at-home wife complaining about night after night. Evelyn recalled,

> By that time I had two children. I was home with the kids. I couldn't get a job—no one would hire a woman part time. There was no daycare so I decided to stay home and enjoy it. I was appalled by what there was on television. It was pre-video, pre-cable. There was just network television. There was no *Sesame Street*, no Nickelodeon, no *Electric Company*.
>
> I was so appalled that I used to bitch to my husband about how there was no children's programming and how terrible it was. Finally, when he met Peggy, she said to him, that she was really worried about children's television, especially the violence on Saturday mornings. Christopher said the fateful words, 'You must meet my wife.' She invited me to a big meeting she was having at her house on coping with violence in children's television.[83]

The First Meeting

On a November 1968, night in Newton, ACT held its first meeting in Peggy Charren's sitting room. Charren called a few of her friends who had their own friends who were interested in what their children were watching. The room was filled with 20

neighbors discussing what they could do to add more choices to children's television programming and why there was so much violence available to children.[84] Among the guests were women and men who wanted to affect a change in children's media. Chalfen said at the first meeting,

> We were most concerned with the violence. But we got off of that. Violence is so hard to define and really it's just part of the whole picture of poor quality. The poor quality was something we were all aware of. This is one thing we've never had to explain to any mother.[85]

The four founders were so interested in the state of children's television they simply did not want to go home. Sarson recalled,

> I went and there were a lot of teachers there because she was very involved with schools. It was a very interesting discussion on how to stop violence on television and how to stop kids from being affected by it and were they affected by it. Afterward, Peggy said we should have another meeting. There were three or four meetings and by the end there was Judith Chalfen, Peggy Charren, Lillian Ambrosino, and I still talking to each other.[86]

Charren assumed that her work in ACT would be short term. Charren said, "I thought I should be able to fix that (add more choices to children's television) in two or three years. I thought, by letting the industry know that families would like that--a little naive."[87] What these woman thought would be a project to keep them busy for a few years turned into one of the most influential lobbying groups in broadcasting history. The "temporary" organization lasted from 1968 to 1992.

Notes

1. K. Kelly, "Junior Season Opens," *Time*, 20 September 1971, 20. A study commissioned by ACT determined that more that half of all children's concerned crime, supernatural situations or characters in strife.

2. Jeffery Davis, *Children's Television, 1947-1990* (North Carolina: McFarland, 1995).

3. Russell Scott, Patrick Young, and Kerry Borwn. 2000. "Video Boy," http://www.yesterdayland.com. Accessed September 1, 2001. This website has synopsis of hundreds of children's television programs from the 1950s through the 1990s.

4. "TV's Saturday Gold Mine," *Business Week*, 2 August 1969, 96.

5. Logan Enright. 2000. Television Quotes, http://www.enrightcompany.com/tvquotes.htm. Accessed November 1, 2001.

6. Among the works that deal with violent television content and children is Barrie Gunter, *Dimensions of the Violence*, (New York: St. Martins Press, 1985).

7. Albert Bandura. *Aggression a Social Learning Analysis* (Englewood Cliffs, NJ: Prentice Hall, 1973).

8. Jeffery Davis, *Children's Television, 1947-1990* (Jefferson, NC: McFarland, 1995). ACT did object to *Romper Room*'s hostesses advertising products during the program.

9. Robert Choate and Nancy Debevoise, "How to Make Trouble: Battling the Electronic Baby-Sitter," *Ms.,* 1975, 91; Action for Children' Television Press Release, 7 September 1971; F.Earle Barcus, in research he conducted for ACT found that there were 406 commercial messages in 1125 minutes of total time studied, an average of one message every 2.8 minutes.

10. "TV's Saturday Gold Mine," *Business Week*, 2 August 1969, 96.

11. Newton Minow and Robert LeMay, *Abandoning the Wasteland.* In 1963, Chairman of the FCC. Newton Minow referred to television as a vast wasteland in a meeting to television executives.

12. Judith Chalfen, interview by author, October 18, 1999, tape recording. ACT's first treasurer, Judith Chalfen, used this phrase in reference to Lillian Ambrosino.

13. Lillian Ambrosino, *Runaways,* (Boston: Beacon Press, 1971), preface.

14. Michael Ambrosino, interview by author, January 7, 2000, tape recording.

15. Interview with Jonathan Kozal. Education and Technology Journal. Http://www.technos.net/journal/volume7/3kozal.htm.

16. Michael Ambrosino, interview by author, January 7, 2000, tape recording.

17. Jonathan Kozal. 1997. Freedom isn't Free, http://www.bluetarpenterprises.com/journal/1997/0119.html. Accessed August 1, 2001.

18. Michael Ambrosino, interview by author, January 7, 2000, tape recording.

19. Michael Ambrosino, interview by author, January 7, 2000, tape recording.

20. "Lillian Ambrosino, 62; Lawyer Children's Television Reformer," *Boston Globe*, 25 November 1995; By 1930, almost half of the Arabs living in America lived on the East Coast of the United States; Sameer Y. Abraham and Nabeel Abraham, *Arabs in the New World* (Detroit: Wayne State University Press ,1983), Alixa Naff, "Arabs in America: A Historical Overview," 9.

21. Michael Ambrosino, interview by author, January 7, 2000, tape recording. Mr Ambrosino was Mrs. Ambrosino's husband for over 30 years until her death in 1995.

22. Michael Ambrosino, interview by author, January 7, 2000, tape recording.

23. Edward Said, *Orientalism* (New York: Pantheon, 1978.

24 Michael Ambrosino, interview by author, January 7, 2000, tape recording.

25. "Lillian Ambrosino, 62; Lawyer Children's Television Reformer," *Boston Globe*, 25 November 1995.

26. Susan Tyler Eastman and Douglas A. Ferguson, *Broadcast/Cable Programming Strategies and Practices* (Boston: Wadsworth Publishing Company, 1997). WGBH, located on Great Blue Hill in Boston, produced a large amount of content for public television and radio stations. WGBH made and still makes documentaries, miniseries, and children's programs.

27. WGBH's website: http://www.main.wghb.org. Accessed September 2, 2001. WGBH was, and still is, the preeminent public broadcasting service in the country.

28. Michael Ambrosino. 2000. Text from pamphlet given out at Lillian's Ambrosino's memorial event in 1985. Http://www.wgbhalumni.org. Accessed September 2, 2001.

29. Michael Ambrosino. 2000. Michael Abrosino autobiography webpage. http://www.wgbhalumni.org/reunion/mike_amb.htm. Accessed September 2, 2001.

30. Michael Ambrosino. 2000. Michael Abrosino autobiography webpage. http://www.wgbhalumni.org/reunion/mike_amb.htm. Accessed September 2, 2001.

31. Michael Ambrosino. 2000. Michael Abrosino autobiography webpage. http://www.wgbhalumni.org/reunion/mike_amb.htm. Accessed September 2, 2001.

32. "Lillian Ambrosino, 62; Lawyer Children's Television Reformer," *Boston Globe*, 25 November 1995.

33. Judith Chalfen, interview by author, 18 October 1999, tape recording.

34. Judith Chalfen, interview by author, 18 October 1999, tape recording.

35. *Who's Who of American Women,* 17th ed., s.v. "Judith Resnick Chalfen."

36. Judith Chalfen, interview by author, 18 October 1999, tape recording.

37. Judith Chalfen, interview by author, 18 October 1999, tape recording.

38. Judith Chalfen, interview by author, 18 October 1999, tape recording.

39. Judith Chalfen, interview by author, 18 October 1999, tape recording.

40. Judith Chalfen, interview by author, 18 October 1999, tape recording.

41. Judith Chalfen, interview by author, 18 October 1999, tape recording.

42. About WGBH Radio and Television. 2001. Http://main,wgbh.org. Accessed September 1, 2001.

43. Judith Chalfen Autobiography. 2000. Http://www.wgbhalumni.org/reunion/chalfen.htm. Accessed September 2, 2001.

44. Judith Chalfen Autobiography. 2000. Http://www.wgbhalumni.org/reunion/chalfen.htm. Accessed September 2, 2001.

45. About WGBH Radio and Television. 2001. Http://main,wgbh.org. Accessed September 1, 2001.

46. Judith Chalfen, interview by author, 18 October 1999, tape recording.

47. Judith Agassi , " The Quality of Women's Working Life," Louis E. Davis and Albert B. Cherns, ed., *The Quality of Working Life* (London: The Free Press, 1975), 280.

48. Judith Chalfen, interview by author, 18 October 1999, tape recording.

49. Daniel Hilton Chalfen, interview by author, 15 March 2001, tape recording.

50. Judith Chalfen, interview by author, 18 October 1999, tape recording.

51. Judith Chalfen, interview by author, 23 February 2001, electronic mail.

52. Andrew Chalfen, interview by author, 8 March 2001, electronic mail.

53. Judith Chalfen, interview by author, 18 October 1999, tape recording.

54. Patti Doten, "A Tough ACT to follow: Charren keeps up the Fight for Kids' TV," 29 December 1990, 11.

55. Cary O'Dell, *Women Pioneers in Television: Biographies of Fifteen Industry Leaders* (North Carolina: McFarland, 1997).

56. Peggy Charren, interview by author, 19 October 1998, tape recording.

57. Peggy Charren, interview by author, 19 October 1998, tape recording.

58. Jonathan D. Sarna, *The American Jewish Experience* (New York: Holmes & Meier, 1986).

59. Peggy Charren, interview by author, 19 October 1998, tape recording.

60. John Milton. 1997. Renascence Editions: Areopagitica. Http://www.uoregon.edu/~rbear/areopagitica.html.

61. Michelle Healy, "Her Battle Won, Charren Signs Off," *USA Today*, 23 January 1992, 4D.

62. Jean Rouverol, *Refugees from Hollywood: A Journal of the Blacklist Years* (Albuquerque: University of New Mexico Press, 2000). Senator Joseph McCarthy who accused Americans of Communist activities initiated this political controversy. At the end of the 1940s the United States House of Representatives' Un-American Activities Committee had investigated the political affiliations of members of Hollywood's elite. Their primary question being, "Are you now or have you ever been a member of the Communist Party?"

63. Peggy Charren, interview by author, 19 October 1998, tape recording.

64. Cary O'Dell, *Women Pioneers in Television: Biographies of Fifteen Industry Leaders* (North Carolina: McFarland, 1997).

65. Ellen Edwards,"The Kids Crusader," *Washington Post*, 23 August 1993, B1. In the late 1970s, when he decided to start a windmill company, Mrs. Charren's friends said, " Peggy tilts at them and he is going to make them."

66. Patti Doten, "A Tough ACT to Follow: Charren keeps up the Fight for Kids' TV," 29 December 1990, 11.

67. Peggy Charren, interview by author, 19 October 1998, tape recording.

68. Peggy Charren, interview by author, 19 October 1998, tape recording.

69. Peggy Charren, interview by author, 19 October 1998, tape recording.

70. Peggy Charren, interview by author, 19 October 1998, tape recording. The 30 years Charren referred to in the interview included the FCC's 6 years of rulemakings that came after Congress passed the Children's Television Act of 1990.

71. Bob Holman, *The Evacuation: A Very British Revolution* (Oxford: Lion Publishing, 1995) 9.

72. Evelyn Sarson, interview by author, 19 November 1999, tape recording.
Some children were sent to other parts of England and were sent home, only to be sent away again when the threat of air attacks became present; Bob Holman, *The Evacuation: A Very British Revolution* (Oxford: Lion Publishing, 1995); The children who were sent to North America went on large sailing vessels. Alistar Horne, *A Bundle from Britain* (New York: St. Martin's Press, 1993).

73. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

74. Roy Lowe, ed., *Education and the Second World War: Studies in Schooling and Social Change* (London: The Falmer Press, 1992) 15.

75. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

76. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

77. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

78. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

79. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

80. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

81. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

82. Michael Ambrosino, interview by author, January 7, 2000, tape recording.
Christopher Sarson was the first producer of Masterpiece Theater, hired Allistar Cooke, and is the current announcer for the program.

83. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

84. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly*, Summer 1970, 50.

85. Ellen Goodman, "Mothers Win First Battle in TV War," *Boston Globe*, February 1970. From Judith Chalfen's personal collection of ACT articles.

86. Evelyn Sarson, interview by author, 19 November 1999, tape recording.

87. Peggy Charren, interview by author, 18 October 1998, tape recording.

CHAPTER 3
GRASSROOTS ACTIVITIES

The first meeting of ACT was held in Peggy Charren's Newton, Massachusetts, sitting room. In attendance were Boston area doctors, teachers, and parents who were concerned about the content on children's television. After the meeting dispersed, Lillian Ambrosino, Judith Chalfen, Peggy Charren, and Evelyn Sarson stayed to discuss violence and the overcommercialization their children were watching on television. These four women continued talking for weeks after their initial meeting. Sarson recalled that "the conclusion that we came to was that there will be violence and poor quality of programming on television as long as the objective is to catch an enormous audience."[1] The A. C. Nielsen television ratings company estimated that some 15.6 million children tuned in to Saturday morning programs in March of 1969.[2] Of these children, Nielsen reported that 4.1 million homes were watching CBS's morning schedule with Warner Brothers *Looney Toons* cartoons.[3] One of the programs in this series featured a hungry coyote, who tried in vain to catch a fast road runner and in the process wound up "trapping, flattening, or blowing himself up."[4] These programming techniques led ACT to larger questions. Primarily, Sarson, said the group just wanted to "figure out what was wrong. Assuming that people like children, which is quite a big assumption, why would they put such crap on television for them?"[5]

To answer such a question, the women conducted research to determine exactly what their children were watching. The program the group chose to analyze was *Romper*

Room. *Romper Room* was a live action program, set in a classroom, syndicated to television markets across the country. Each station that had a *Romper Room* franchise had a different host for the program who encouraged creative play and daily safety lessons.[6] ACT selected this show because they mistakenly thought, "the show was neither good or bad—just a typical kid's show."[7] Sarson wrote,

> For one month in April-May of 1969, 20 mothers with stopwatch or kitchen clock in hand timed the content and commercials of *Romper Room,* the alleged pre-school kindergarten. At the end of the program the findings were collated. During one typical half-hour, four and one half minutes were straight commercials, six were used to play with *Romper Room* toys (which had just been advertised) and six more were spent playing with other *Romper Room* toys, which had not been specifically advertised that day. There were therefore 16 ½ minutes of commercial content. No adult program can boast such a successful ratio.
>
> In later monitoring in Bangor, Maine (in November of 1969), where the program runs for 45 minutes, it was found that on one occasion the full 45 minutes was devoted to promoting commercial products. Even the juice and cookies were brand-named.[8]

One of the mothers who participated in the content analysis stated, "that (*Romper Room)* is no program. It's just one long commercial for *Romper Room* products."[9] At this time, *Romper Room* promoted Fisher Price toys like the egg-shaped Weebles. These toys were popular for their advertising pitches featuring the Weebles who "weebled, wobbled, but don't fall down."[10] Judith Chalfen remembered,

> That was a big rallying point at the very beginning of the organization. Ms. Jean on Romper Room would have the kids drink orange juice that she would then promote. She would give all the kids orange juice during the kindergarten program. She was shilling products. The kids were the consumers. The kids were the dupes. They were selling to kids and parents.[11]

When ACT presented its findings to WHDH-TV, the station airing the offending program, the show's originators, owners, and producers, the Clasters, were in attendance. Nancy Claster trained all of *Romper Room's* hostesses. *According* to ACT's newsletter,

> Mr. and Mrs. Bert Clasters came up from Baltimore, Maryland. The Clasters collect anything from 2 ½ to 5 percent on anything using the *Romper Room* brand name. They saw nothing wrong with the teacher selling. Nor did they fault the excessive use of *Romper Room* toys and games—even cookies [12]

However, ACT saw something wrong with the practice. In the same report to its members, Sarson,

> We feel that the program exploits the trust and credulity of young children. When the teacher says, 'now be careful crossing the street,' we expect children to believe her. Why should they believe her when she assures them that one brand of cookies is much better than another? How can a child of 3, 4, or 5 realize what is a commercial and what isn't when the same teacher tells him in that same voice and in the same classroom setting.[13]

For ACT, conducting its own research was key to developing support data for its platforms. While ACT conducted research throughout the year, the pre-Christmas months between September and December were particularly active. These months were when the advertisers increased their toy advertising, which increased children's attention and ACT's interest in the product. During this peak period, advertising rates were increased from January's level of $8,300 per 60 seconds on a Saturday morning to $11,500 for that same time slot between September and December. [14] However, it was not always easy to do this work. As ACT's first television research and monitoring coordinator Joanne Spiro recalled, a Newton "church group offered to monitor Saturday morning programs, but returned the monitor forms after one week. Their children were watching with them, and the mothers were so appalled at what they saw that they didn't want their children exposed even for a good cause."[15]

Sarson argued that ACT's television research and discussions with broadcast industry professionals and experts illustrated its initial theory that "anything goes as long as it sells. Most children's programs were designed to catch a crowd, not to enlighten or entertain."[16] Sarson further explained, "If they (broadcasters) want to get 9 million kids

instead of 7 million kids, then they are just going to air what catches attention which is noise and violence. This was a big discovery for us that this was the structure of the system."[17] Sarson considered the research and determined that

> the only way to change that (hosts selling products) was to have children's programming underwritten so the quality of the program was what mattered. At the end of the (non-commercial program) *Sesame Street* they say, '*Sesame Street* is brought to you from a grant from . . .' That is honoring whoever has done a good thing for a good program.[18]

Based on its research, ACT issued a statement to the press and to broadcasters criticizing the three networks for "excessive commercials (that) dominate children's programming generally, filling a good 25 percent of the viewing time. Toys, cereals, and vitamin pill ads bombarded the audience with sophisticated photography and hard-sell psychology."[19]

ACT summarized its overall findings into three points for broadcasters and regulators:

1. Programs were usually aimed at all ages from 2 to 11, rather than designed for different levels of interest and understanding;

2. Most performers on children's shows were expected to sell; and

3. Children are only considered as purchasers of toys, cereals, and candy by broadcasters.[20]

ACT used the aforementioned findings to establish its goals and give ACT guidelines to use when approaching networks, advertisers, and the Federal Communications Commission (FCC). ACT continued to use three guidelines as lobbying points in a variety of forms for over two decades. The guidelines

1. Required a minimum daily amount of programming for children in each of the three age groups: 2-5, 6-9, and 10-12;

2. Eliminated commercialism from children's programs; and

3. Established a national understanding that children are not purchasers because they do not have the experience to contend with commercials and should not be used to pressure their parents into buying. Finally, ACT concluded that what children watch is ultimately the joint responsibility of both the parents and broadcasters.[21]

ACT also presented four activities for its members to participate in if they were to make a change in broadcasting. [22] The group had to be committed "to educating the community and government through articles, letters, and lectures." Members had to monitor and obtain statistical data to establish "a true appreciation of the seriousness of the problem." Another ACT activity was to represent children's interests to the broadcast industry. Finally, ACT members had to participate in fund-raising activities.[23]

He Who Destroys a Good Book Destroys Reason Himself[24]

Throughout its first months, ACT publicized what it would do, but the group also determined what it would not do. ACT was opposed to content regulation and wanted to publicize their position against infringing broadcasters' speech. In accordance with its affinity for the First Amendment, ACT's guidelines would not

1. Define program content. Broadcasters could make content their own decisions.

2. Prevent manufacturers of toys, cereals, candy from advertising on any other programs.

3. Eliminate underwriting of programs. This kind of financing is acceptable for children's television.[25]

In expressing her support of the freedom of speech rights guaranteed under the First Amendment, Peggy Charren told ACT's founders that censorship could not be a part of ACT's mission. Charren credited her support of the First Amendment as being an integral part of ACT's success.

> I think the reason I lasted this long, the reason the press calls me, the reason I have had the successes I had, whatever they were, is because I am so violently opposed to censorship. . .When a parent turns off the TV, the kid might think it is censorship, but that's not what I'm talking about. . . .[26]

Throughout ACT's existence, Charren maintained that ACT was based on the principle that choices and diversity were the ultimate in free speech of the audience. Changing television, for Charren, meant adding quality choices for parents and children.[27]

Even though ACT took a vocal anti-censorship stance, the group understood that broadcasters might be reluctant to add educational content to their schedules. In 1968, ACT's leadership "discovered" the Communications Act of 1934. This act provided the regulatory justification that ACT used to support its demands on broadcasters. This law gave ACT a hook on which to hang its mission.[28]

There is some question about which member of ACT actually guided the organization to the federal policy that ultimately allowed them to meet with the FCC's commissioners. Sarson recalled that "Lillian Ambrosino was a very intellectual, bright woman. She had a degree in education and got herself trained as a lawyer. She knew that we had to go to the FCC if there was to be any radical change. She pretty much directed us along that route."[29] Similarly, Chalfen attributes ACT's use of the Communications Act to Ambrosino. Chalfen said, "Lillian Ambrosino, the gal who is no longer around unfortunately, she went to law school by the way. (Lillian) said that we should go the route that is the right one to go and that is through the FCC, which is the regulatory agency, and try to get change that way. That's what we did and that's what made all of the difference."[30] Charren gave herself credit for guiding ACT's regulatory efforts saying "what I discovered in 1968 is the Communications Act of 1934."[31]

Regardless of who applied the Communications Act to ACT's work, it helped ACT establish its 23-year relationship with the federal government. The Communication Act tells broadcasters that "The Commission (FCC), if the public convenience, interest, or necessity will be served thereby, subject to the limitation of this act, shall grant to any applicant therefor a station license provided for by this Act."[32] As such, broadcasters are instructed to follow the rules in the Communications Act if they wish to keep or obtain a license to use the broadcast airwaves.

Charren explained how helpful the Communications Act was to the organization's goals. She said,

> (w)ithout the Communications Act I never would have gotten anywhere, and I probably would have gone back to my children's book business when my kids started nursery school. Nobody would have heard of Peggy Charren. I would have had a nice life. The Communications Act of 1934 says that in return for a license, you have to serve the public interest. I didn't write that. I was in diapers, just toddling around. That is a law that really impinges on free speech, to a degree. It was like, 'here guys,' (and it was guys unfortunately). 'Here guys' (no dolls), 'here is a license, which some people call a license to print money. In return for it, you have to serve the public.
>
> And what is serving the public interest? And I thought well, it's choice and that's choice like in a library. You wouldn't really love a librarian who filled a library with one side or politics. Choices are important. Choices and diversity are nice things. So that's inherent in the whole way broadcasting is set up in America. All I did was take advantage of it.[33]

Judith Chalfen supported Charren's argument saying, "that was the thrust of the whole FCC thing. It's there so make it work."[34]

Charren explained that the Communications Act was not reducing freedom of speech, but expanding it. She argued, "Choices are what is important in speech. There are two kinds of speech. There is freedom to hear and freedom to speak. And the issues in broadcasting really relate to those two issues. Freedom to speak is access and freedom

to listen is (access)."[35] In part, the Communications Act of 1934 placed controls on broadcasters' speech saying that in exchange for a license, broadcasters serve the public interest, convenience or necessity of the audience. ACT contended that broadcasters were violating this expectation by not serving the interests of children in their programming.[36]

Conference Rooms and Classrooms

Due to convenience and lack of funds, ACT's leaders met in makeshift offices in its first year. Often living rooms, dining rooms, and kitchens in the women's homes were used as its office. The women's commitment to ACT surmounted their unconventional surroundings. As Evelyn Sarson recalled, the location of the meetings, was not as important as the substance of the meetings. She explained,

> Lillian Ambrosino had a big old Victorian house and the ceiling in the hallway fell down after the bathroom leaked. The ceiling had come down in her hallway, so anytime you came in her house there was rubble all over the floor. She had half-covered it with some sheets or whatever. We had a meeting at her house, and we all walked into the house and climbed over the mess to get to the living room. We had the meeting and then we walked out again. Nobody talked about the ceiling falling down. It was totally unimportant. We were so focused on the important work we were doing.[37]

Andrew Chalfen, Judith Chalfen's youngest son, recalled being at some meetings held in his home. Although as a young child he was not quite clear on the purpose of most of their discussions. He wrote,

> There were frequent and long ACT meetings at the dining room table. For some reason, I (age 5 or 6) became convinced that ACT was not only working for better kids' TV, but that it was trying to stop the Vietnam War as well. Don't know where in the hell I got that idea, but I was disappointed when I found out that that was not really the case, Newton liberals thought the ACT founding mothers were.[38]

Although the group met in a variety of locations, the official address of the organization was ACT's secretary Peggy Charren's upscale home at 33 Hancock Avenue in Newton Centre, Massachusetts. Most of the group's early correspondence was sent and received from Charren's home.[39]

Convenience also determined when the women would meet. The ring of the school bell ruled ACT's first meeting times. There were other members of the organization, but ACT's core leadership consisted of four mothers, their meetings were carefully arranged around school times. Sarson remembered,

> Our kids went to preschool and nursery school for the young ones. That would start at 8 o'clock and the meetings would begin at 8:05 or 8:10. We'd sit there with our watches, and at a quarter to 11 we would rush out so we could pick up our kids. We had some sitters—some teenagers. Barbara (a neighborhood teen) would sit for me sometimes. But generally we would schedule our time so we met while our kids were in school, and as they got older and they went to school all day, then we could meet for the WHOLE DAY.[40]

To provide some structure to ACT's meetings, it was necessary that the women were assigned specific positions. It was not difficult to see what roles each of the women would play in the new organization based on their past experiences. Sarson said the other women of ACT recognized her writing and public speaking contribution to the group. She said,

> I was being my normal organizing self. I still remember sitting about. We needed a president of the committee. Lillian said, 'Well, Evelyn should be president.' They all said yes. So that was it. We didn't have bi-laws or anything, and we were short on time and money so we just focused on the essentials.[41]

For this reason, each woman had several roles in the group, but each was given a title that fit with her individual expertise. Evelyn Sarson remembered her experiences as a reporter for Reuters news service and the *Manchester Guardian* to publicize ACT.

Even though she worked for publications in the early 1960s, some of her training could be applied to ACT's work. She said,

> I had been a newspaper reporter for some time. I had received a large number of press releases and I always thought they sucked. I used to think, 'How could they put them together so badly.' ACT gave me an opportunity to write good news releases and I wrote most of the news releases. (I knew) how to get coverage, how to do PR, how to call up reporters. I knew reporters. I knew what they felt like because I had been one.[42]

Lillian Ambrosino had previously worked to improve children's educational experiences. She wrote curriculum for the Boston public schools, conducted statistical research on educational television in her project, *One Week of ETV*.[43] Ambrosino also worked at WGBH, Boston's prominent educational radio and television public broadcasting service.[44] Her work in these areas exposed her to leaders in children's television, such as, Mister (Fred) Rogers and anti-smoking lobbyist John Banzhaf. In her short time with ACT, she organized the group's FCC initiative.[45] Chalfen recalled that the groups' early efforts, such as their picket of Boston's CBS affiliate, would not be enough to make large changes in broadcasting because of the opposition the group faced from the station's management.[46] It was Ambrosino who determined the "route that was the right one to go through was the FCC."[47]

Peggy Charren's Quality Book Fairs brought her to many schools in the Boston area. Her presence in her book selling business made her visible to the schools' faculty and parents. She would speak at school and library meetings. As secretary, she "got very good at writing grants" and newsletters.[48]

Judith Chalfen quickly became the group's most vocal member. Her skill at public speaking was cultivated when she was a child participating in settlement house productions and after college as a radio announcer. She traveled around the world to

places such as Germany, and she said she even "got to Cleveland" to discuss ACT's platform. Chalfen also could be seen on television programs explaining ACT's work. She appeared on the Barbara Walters' syndicated talk show *Not for Women Only* for five days where she debated the need for advertisements on children's television.[49] She also said,

> I would do these 30-second spots, and they'd put them on various stations during commercial breaks. We made a movie and people had seen me on various talk shows publicizing ACT. Lillian and I did that a lot. Believe it or not, Peggy was not confident about her public speaking. But she learned very fast and she took something from everybody, so to speak. Now she's fine."[50]

Chalfen's son Daniel also was used to speak for ACT. He was one of the "children sitting glassy-eyed in front of TV sets" in ACT's 15-minute film *But First these Messages*.[51]Daniel wrote "there seemed to be a lot of press clippings floating about. My picture was on the front page of one of the sections of the *New York Times*, along with my family. One girl who had a crush on me was very impressed with that!"[52]

Chalfen's Smith College major in economics led her to the official title of treasurer. Judith Chalfen kept ACT's books in that position. She said, "It didn't amount to much. I kept books. In those days we didn't have computers. I kept books of money and paid bills. We had an accountant come once a month to do taxes or whatever. . . . I still have an old little notebook. Dues were $3. We would send out mailings and they (new members) would come to our meetings and join. Then we would send them our newsletters."[53]

These Dames Are Bananas

In the first six months, the meager $3 dues from fewer than 100 members were not enough to sustain the group's increasing travel, copying, and other operating expenses. The media-savvy mothers recognized that the best way to gain funding and membership was through press coverage. Charren said,

> A lot of our actions went along with letting the press know what we were doing and sometimes even designed to make noise. Not like chaining ourselves to trees, but even small things. [54]

On September 8, 1969, the group made one of its first public activities a campaign to preserve the children's program *Captain Kangaroo*. Robert Keeshan played the host, *Captain Kangaroo*, as a kind man who entertained pre-school and early elementary school aged children with stories and lessons in morality. During the 1960s, CBS ran the hour-long program each weekday morning. CBS's Boston, Channel 5 WHDH Channel 5, the station only played the first half-hour of the show. The station would the stop the program after 30 minutes to air the locally produced "commercial-studded" *Bozo Show.*[55] Sarson recalled, that often the Captain would be in the middle of a sentence when his show would abruptly stop.[56] ACT's members were outraged because, as Sarson reasoned, "it was the only daily program for children on television that you could hope your kids would get. It (the cutting of the *Captain*) didn't seem to make much sense."[57] ACT decided to rally around this cause.

First, the leadership of ACT initiated a letter-writing/petition-signing campaign at more than 100 Boston-area nursery schools. ACT suggested that concerned parents express their disapproval to Robert Kinkead, the program manager at WHDH-TV, and CBS executive Frank Stanton, printing the executives' work addresses and phone numbers on the flyers.[58] Then the group organized a peaceful public demonstration at the station. According to the flyer announcing the demonstration, ACT wanted to "stress that ACT is FOR good television, rather than against anything. We want *Captain Kangaroo* on the air for 60 minutes in Boston because he's good, and we also want the same <u>amount</u> of children's programming on the channel."[59] Parents were told to prepare and

1. Paint slogans: "Don't cut up Captain Kangaroo" or Give us ALL the Captain" or "Captain Kangaroo and Bozo too."

2. Print a name tag for every mother and child. Buy balloons, enough to have two for each child, and string.

3. Bring snacks for the children (we shall provide some surprise lollipops.)[60]

At 3 p.m., October 29, 1969, the "good tempered" picket began at WHDH in Dorchester, Massachusetts. Charren recalled, "We had a little picket. I think there were eight of us with balloons, saying 'Captain Kangaroo, we want all of you.' There was a teenager with a guitar walking around in a circle in front of Channel 5 in Boston—in their parking lot." The mothers carried signs with slogans like 'Don't Cut up *Captain Kangaroo*.'[61] As the group circled and chanted, Charren remembered thinking the event was somewhat humorous. She said,

> Obviously, the magnitude of this was not particularly exciting, but the fact that we were doing this was exciting. . . . There was something very funny about how this looked. And if I didn't know me, I'd think, 'These dames were a little bananas'. It hardly seems like something that would change the broadcast industry in America.[62]

Although Charren looked at this event as being light-hearted, this was also the first time she realized this project was going to be a challenging undertaking. Charren recalled, "One of the kids had to go to the bathroom. And to give you a feel of the attitude of the broadcasters to the initial stages of this effort, they wouldn't let us in. And we thought that somebody was taking down our license plate numbers. . . but that may have been paranoia."[63]

In the end, the protest worked for *Captain Kangaroo*. Less than three months after the protest, WHDH restored the program to its full hour. ACT's members were encouraged to send letters of thanks to the station.[64]

The public demonstration also worked for ACT in other ways. First, the demonstration led to national press attention. In one article the *Christian Science Monitor* stated, "(a) new movement is afoot which could lead to a crusade as decisive as the public action on auto safety and cigarette advertising. It is headed by a group brought together by their concern over TV's impact on youngsters. The group is called ACT (Action for Children's Television.)"[65] Second, it taught the women how to make a loud noise that would lead to more dues-paying members. In turn, ACT immediately gained 200 new members from membership campaigns and direct mailings.[66] The positive responses relieved Sarson who had thought in the beginning

> maybe we're just New England nuts. You know, middle-class, protected. We thought maybe we were the only ones concerned about what we saw on the screen. But we got letters from an Army base in Louisiana and an Indian reservation in Arizona. A lady in Detroit materialized who had collected 10,000 signatures protesting violence on children's programs. She didn't get a reply from the networks.[67]

It was reassuring to Sarson to know that ACT's concerns were on the minds of parents throughout Boston.[68]

ACT also gained the attention of CBS, the television network that aired *Captain Kangaroo*.[69] For three hours in January 1970, the women met with several executives about the network's varied commitment to quality programming. Ironically, the network executives frequently pointed to *Captain Kangaroo* as illustrating CBS's commitment to children. Both Evelyn Sarson and Peggy Charren retorted, "If it is so good, why do we have to fight to keep it on the air."[70]

While ACT disapproved of CBS's lack of high-caliber children's programs, the women applauded CBS's attempt to bring child-sensitive programming to its general audience. In particular, the women pointed to CBS executive Michael Dann for airing

the acclaimed special, *J.T.*[71] Kevin Hooks starred as *J.T.* a black child who tried to make the best of his poor upbringing in Harlem, New York, by taking in a stray cat.[72] The program ran as 1969's Christmas time offering of CBS's *Children's Film Festival* that aired periodically on Saturday afternoons.[73] The CBS executives acknowledged the value of the program, but repeatedly stated that the program was prohibitively expensive to produce.[74] Dann explained that, "*J.T.* cost $300,000 as compared with the $7000 we normally spend on that hour (Saturday, noon to 1 p.m.) for kids."[75]

In the same meeting, ACT requested that there be no commercials during programming designed for children. While the CBS executives acknowledged the special needs of children, they refused to forsake the revenue in children's programming. Children's programming attracted advertisers who needed to reach a child audience. To eliminate advertising would eliminate a source of revenue that totaled $20 million for the three networks.[76] ACT also asked that CBS stop using performers to sell or use merchandise during children's shows. Another request that group made, was that CBS appoint a department head to oversee the content CBS was sending to children.[77]

CBS's senior vice president for programming, Michael Dann was impressed with the exchange his office had with ACT. Dann said the women "made an articulate case and were among the most constructive and logical (he) had heard. The give and take were first-rate."[78] CBS took heed of some of ACT's words and appointed Allen Ducovny as the head of children's broadcasting later that year. In a little more than a year, ACT had already made changes in the way a network was run.[79] For example, CBS began airing a news program devoted to children.

ACT also was given a meeting with reluctant ABC executives.[80] Those meeting with ACT were the first executive in charge of children's programming, Charles "Chuck" Martin Jones and another programming executive Michael Eisner.[81] Sarson, who recalled that meeting, said, "We told them our ideas on children's programming. All of the networks had a children's programming director, and the one at ABC (Jones) was a good guy. They introduced the *ABC Afterschool Specials* and the *Schoolhouse Rock* minutes. . . . Michael Eisner was a young guy with kids and he was charming."[82]

Sarson was not as pleased with the other executives at ABC. Nearly a year after the meeting at ABC, Sarson remembered, "Chuck Jones, the vice president for children's programming had some great ideas. But the other executives sitting around kept saying, 'Impossible to do. Too much money.' These were the guys he was working for."[83]

Judith Chalfen remembered these meetings with the network executives differently than Sarson did. Chalfen recalled that the network executives were not as receptive as Sarson said they were. Chalfen said, "We'd go down to New York. They all listened to us and said 'poo-poo.'"[84]

The greatest impact these meetings had was to draw press attention to the group. Chalfen said,

> Evelyn Sarson was a newspaper person. She would go down and talk to various newspaper people. So right after she met with Eisner and various programmers, we marched right down to the *New York Times* and talked to Fred Ferretti, who was the television columnist. He wrote a big article the next day about it. Of course the networks didn't realize that we had as much chutzpah as they thought. They thought, 'These mothers, what are they going to do?'[85]

Along with the press coverage, came more appearances and activities. ACT spoke anywhere the women would be heard.[86] Some of the groups that ACT talked to about their work were a graduate seminar at the Boston University School of Public

Communications; a Christ Church mothers' group, a "lively" seminar at a Newton High School business class; and at a meeting with the Boston Roundtable of Children's Librarians in Boston.[87]

As ACT received local and national exposure, more people joined the organization and its leadership structure became somewhat altered. Sarson wrote,

> The four founders became an Executive Committee, and some dozen other members joined the regular committee. ACT incorporated and became non-profit and tax-deductible; and newcomers tracked us down (there were no funds available for a business phone listing) and asked to join.[88]

ACT received letters and phone calls from people in cities such as San Francisco, Pittsburgh, Philadelphia, and Tuscon about starting satellite groups.[89] These groups conducted their own research on local television shows and shared them with ACT's research director, Joann Spiro so she could build ACT's research files. The onslaught of national chapters was so great that ACT eventually appointed volunteer Nancy Codispoti as Resource Director to organize the national chapters. [90]

By the summer of 1970, ACT had nearly 1000 members and supporters in 18 states such as, Colorado, Connecticut, Illinois, Missouri, New Hampshire, New Jersey, New York, Ohio, Rhode Island, and Texas.[91] ACT's growing presence also allowed it to ally with prominent national groups such as the National Parent Teacher Association, the National Citizens Committee for Broadcasting, the American Council for Better Broadcasting, and the National Association for the Education of Young Children.[92] According to ACT's January-February 1970 newsletter, "we (ACT) look forward to working with these groups which have the same concerns as ACT in many areas."[93] ACT invited members of these organizations to speak at their symposiums.[94]

On October 16 and 17, 1970, ACT held its "First National Symposium on Children and Television," in Boston, with the Kennedy Memorial Hospital for Children and the Boston University School of Public Communication.[95] Sarson said the purpose of the symposia was to outline courses of action that professionals and concerned citizens can take in trying to upgrade TV for children." [96] To discuss the topic, "Facts for Action," the symposium featured Joan Ganz Cooney, the director of the Children's Television Workshop, puppeteer Jim Henson, and Fred Rogers of *Misterogers Neighborhood* discussing the state of children's television in 1970.[97] Chalfen was involved with organizing three of ACT's eight symposia. She fondly remembered the conferences saying,

> The first conference was at the Kennedy School (at Harvard) . . .Then we had a wonderful conference at Yale with the School of Art and Architecture and Child Development. We would get the materials together . . .They (the schools) all cooperated. Then there was a third one in Chicago with the American Academy of Pediatrics. We would invite people to talk, write it all up, and get funding for it. We got a lot of publicity.[98]

The funding for the first symposium came from the Ford Foundation.[99]

Advocacy and Motherhood

Although ACT's activities were allowing the women to gain a reputation as formidable national children's television advocates, ACT's Executive Committee was still made up of housewives with young families to rear. By day, they were television crusaders, but by night, they were home to tuck their children into bed. Sarson recalled,

> We would go down (to New York or Washington) on the early plane and come back on the late plane so we wouldn't be away overnight. It was very different from the way a bunch of men would have done it. They would have had a fancy office in no time and a large sum of money from somebody. But we didn't know about stuff like that. . .We were full-time mothers.[100]

From what they can remember, Judith Chalfen's children said ACT did not take their mother away from them much. However, sometimes they would go to work with her. Chalfen's son Daniel remembered he "went there occasionally to help get out mailings. I would get my friends to come along and stuff envelopes. We felt like we were participating in something important."[101] Andrew Chalfen, who is seven years younger than his brother Daniel, was not as impressed with the ACT offices. He said, "I went to the ACT office a few times, but don't remember much except lots of papers and books (it was a small office), seeing Peggy and other adults, and being really bored and wanting to go home."[102]

The children also said their mother's involvement with the effort to improve children's television did not impact the way they watched television. Daniel Chalfen, who was 13-years-old in 1970 said, " (I could watch) as much as I wanted, I recall."[103] As an early adolescent he said his favorite television shows at this age were the live action superhero show, *Batman*; the tale of seven stranded castaways on *Gilligan's Island*; and the comic cartoon show featuring a mouse and squirrel, *Rocky and Bullwinkle*.[104]

Chalfen's youngest son, Andrew, 6, "enjoyed any Warner Brothers cartoon from the late '30s through the early '50s; especially Bugs Bunny." He, too, recalled that his parents' were not strict television disciplinarians. Andrew said, "(y)ou think they would have been strict, but they didn't ration. I think that it may have been easier to have me be baby-sat by the TV at times. Odd. In retrospect I could say that I wish they spent more time reading to me or interacting. . . .But five-year-olds tend not to deconstruct family dynamics."[105]

Chalfen characterized their husbands as "supportive" when the women were away from home.[106] Chalfen's husband Melvin "didn't cook or grocery-shop," but Andrew Chalfen said the family did have their share of leftovers. Andrew recalled, "Leftovers (in our house called the 'Week in Review') were reheated or else we'd go out for subs or pizza."[107] Lillian Ambrosino's husband, Michael, a successful producer and creator of the acclaimed program *Nova*, remembered both he and his wife "were very busy. I don't think we suffered anymore because of ACT than for other things . . . .We learned to make very careful use of moments. We both participated in family activities. I was not a stranger to cooking and shopping and things like that."[108]

ACT's daily influence over the Ambrosino family's ended in the fall of 1970. Lillian Ambrosino, the woman who guided ACT's legal activities, departed the group to move to England with her family for a year. Her husband Michael received a Corporation for Public Broadcasting grant to work with the British Broadcasting Corporation. There, Michael Ambrosino worked on the program *Nova*, which he produced in America. Mr. Ambrosino, recalled "That was a glorious year. The three kids went to school in London. Lillian spent that year studying British children's television and doing some research on European children's television. According to ACT's fall 1970 newsletter, in the year Ambrosino was abroad, she would "be actively researching television for children in Great Britain as well as in other countries."[109] She remained in contact with the other members of ACT through letters, while she conducted her own research on children's programming in England and India.[110]

When the Ambrosinos returned to America, Lillian did not return to ACT. Her husband said, "When she got back, I think Lillian thought like other women. As

important as volunteer work is, it never holds sway with other people."[111] On the recommendation of Fred Rogers, Lillian Ambrosino applied and got a position where she "set policy and wrote speeches for the Office of Child Development. So I guess that's why she left ACT. She went to government policy to change and help children's television."[112]

Funding a New Organization

While the skills the women had helped ACT attain structure and press attention, sources of funding were imperative if the group was going to grow. Expenses such as travel, office upkeep, and newsletter postage were essential for the new organization to maintain its visibility in the children's advocacy arena. Other than the $3 dues, the women paid for ACT's expenses out of pocket. Sarson explained, "We all had money because our husbands were supporting us. We put our own money into this. We were very economical, but it was our money. We would find the cheapest (plane) fares to go to Washington."[113] ACT's leaders also relied on friends for favors. Judith Chalfen said, "I got some neighbors involved. . . .We all used networking to find designers and people to do our brochures."[114] Outside funding came in March 1971, when the Markle Foundation, a private not-for-profit organization focusing on public education through communications media, granted ACT $164,000 for a two-year period.[115]

ACT used the grant money for office space, research, and salaries. First, the money allowed ACT to move out of people's living rooms and into its first office at 46 Austin Street in Newtonville, Massachusetts.[116] ACT had its very own, albeit small, office on the second floor of a two-family house on the edge of the commercial district of Newton.[117] ACT also produced the 15-minute video, "But First, these Messages" to show

at meetings and public hearings. The video discussed the harms inherent in advertising to children. ACT sent the video across the country to PTA's and ACT chapters. Additionally, the funds supported an ACT library and a membership mailing campaign.[118] ACT credited the grant for giving the women "confidence" and the "security" needed to plan ahead as a self-supporting organization.[119]

Second, the grant paid for two studies, whose findings were submitted to the FCC's Inquiry into Children's Television. Ralph and Carol Jennings were commissioned for the study of "Programming and Advertising Practices in Television Directed to Children: Another Look." The findings revealed that 33 of the 54 television stations surveyed across the country did not air the 14 hours of children's programming a week that ACT hoped they would. Further, Barcus found that most of the programming they did air were cartoons.[120]

Dr. F. Earle Barcus, a member of ACT's board of directors, founded in 1970 to support ACT's research and other projects, conducted the second study, "Saturday Children's Television." This content analysis of stations in the Boston television market determined that a majority of the programs were "saturated with violence."[121] According to the study, one program featured *Popeye* in an episode titled "Oils Well that Ends Well," where the hero crushes a car and the villain, Brutus, with his bare hands.[122] Barcus noted that "(a)lthough there is an abundance of violence of all kinds, one is left with the impression that, after all, violence is harmless since very little permanent damage is done to the characters."

The Markle grant also allowed the women something the group had never had before—a salary. Before the grant, the women were not earning any money for their

work. Sarson explained, "We were all doing this for nothing—out of passion."[123] The executive members of the group were budgeted to receive a full-time salary. Sarson said,

> We made a budget where we all had salaries. Judith didn't want to work full time. She was still very much a part of the community. She was active in local politics, and so she was working part-time. We realized that we couldn't afford that and we talked to her and she said that she didn't want to work part-time and that's when she left.[124]

Chalfen did say that the dispute over her salary was just one issue that led to her departure. Personality conflicts were another. She said,

> I think a lot of people felt Peggy didn't treat them very well. She didn't treat me very well, in fact. The reason I left was that she wanted me to work full-time for the same amount of money I was getting for working part-time. I didn't want to work full-time. And if I did, I'd want more money. That was her method of getting rid of you. Period. She became the head honcho. . . .We didn't want to work together anymore under those conditions. It had been a good six years, and there wasn't that much in it for me anymore. All of the big decisions had been made. The excitement of going to the FCC, the networks, the excitement of seeing ourselves in the *New York Times* and *The Wall Street Journal*. It was wonderful and heady. We were getting somewhere and people were listening. After a while, as with all organizations, this kind of cooperative, eventually someone had to take the responsibility of being in charge.[125]

Chalfen recognized that, "How shall I put this, Peggy had the energy and the need to be in charge."[126]

But she also gave other reasons. Her children were getting older, and her desire to improve children's television was waning. Chalfen said,

> I had a nine-year-old, and at that point in Newton everyone came home for lunch. And on Tuesday and Thursday they stayed home. I didn't have any help. . . . Basically, Peggy was not interested in keeping house. She wasn't interested in spending a lot of time with her kids at that point, and she had a housekeeper who would be there.[127]

At this point, Charren had two daughters at home, Sarson had her son and daughter, and two of Chalfen's three sons were at home.[128]

After Chalfen resigned from ACT's executive board, she remained active in ACT in an advisory capacity, but was not involved in ACT's daily activities.[129] Chalfen eventually, received a real estate license and eventually became the director of the Newton Arts Center.[130]

Another structural change came when the remaining members altered their positions in the organization. Because Ssarson's husband was a visible figure in educational children's television production, some assumed Sarson only advocated children's television to help her husband's career. To curtail those incorrect assumptions, Sarson's role in the organization changed to one behind-the-scenes. Sarson remembered

> (t)here was a certain amount of conflict in that my husband was a television producer and it wasn't a huge conflict because he was very productive. But people would say, 'oh, your husband is in public television. I suppose you're doing this for him.' There was this sort of backlash because my husband was a television producer and a reasonably successful television producer. There was a feeling that there was going to be more and more difficult. That was the reason I actually became the executive director because we felt it would be better if I was directing the organization, instead of being the spokesperson all of the time. Peggy became president and I became executive director when we got money.[131]

Sarson continued as ACT's executive director for three more years, but left after the FCC did not implement any of ACT goals. She thought her work with ACT would take "six months." After the FCC did not implement any of ACT's suggestions for children's television, Sarson realized that she did not want to spend her life trying to change the children's television law.

ACT Takes on the FCC and Broadcasters

ACT's grassroots activities allowed the group to gain membership and even an audience with major broadcasters, but no change in television had yet to be made. In

1969, ACT, after doing its own research, determined that the best way to create a change in television stations was to make the change mandatory. Chalfen said Lillian Ambrosino led this charge because

> (s)he did write to the FCC on our behalf and got our appointment. . . .They had to do it. They had to listen. That was the period when they had to listen to the public and their views. Everybody was organizing and doing something. . . (I)t was the end of the 1960s. It did not occur to us that we were doing anything out of the ordinary. We have the right to question the junk that our kids are being exposed to because we were mothers.[132]

ACT also sought expert advice on how to present its findings to the government. Although each woman had experience and contacts in the television business, Lillian Ambrosino was familiar with government processes and had friends who were willing to help the novice group maneuver through the Beltway. She contacted friends, like the founder of Action for Smoking and Health, John Banzhaf. As he had done in his work lobbying against cigarette advertisements, Banzhaf suggested that ACT be vigilant in approaching the FCC.[133] Sarson explained that Banzhaf's help was instrumental in the group's regulatory effort. She said,

> We met with him on our first trip to Washington, D.C., and he laid out what we needed to do. I still remember meeting with him in his simple office. He told us that we had to get public support and public funding and follow rulemaking procedure. He put it out in a very, very clear way, which was something Lillian had been talking about. She had a lot of Washington connections. He was very pragmatic.[134]

While Sarson indicated that Lillian Ambrosino organized the meeting with the FCC, Charren said she made the appointment for the February 1970 meeting.[135] Regardless of who set up the meeting, ACT's five executive board members, Ambrosino, Chalfen, Charren, Sarson, and Spiro, met with six of the seven commissioners in February 1970.

Charren warned that requesting a meeting with the current FCC is a bit more difficult. She said, "If anyone reading this thinks this (receiving permission to meet with the FCC) is going to happen if you do this today, you are a big optimist. Our timing was right. . . . People who are in the business of mucking around in Washington, who go to the FCC, think that is the funniest thing about ACT. It would be impossible today."[136]

At the meeting ACT discussed its guidelines which were established in 1969 after the *Romper Room* study. Sarson remembered ACT's two-hour meeting with the commissioners as being productive. She said,

> The quality of the commissioners is debatable. But when we were there they had just appointed this guy Dean Burch. He was home sick one day and watched children's television and thought it was terrible. They also had Nicholas Johnson, who was a real maverick. He was charming, attractive, and young. He and Dean Burch weren't on the same side politically, but they cared about children's television, and with the two of them on the commission, the issue of children's television become important. So when we went down there to see them, they were excited and said they would accept the petition for rulemaking.[137]

Although the meeting with the commissioners was pleasant, ACT members were surprised to learn that the FCC had published ACT's guidelines in an effort to determine if it they would make a potential rule. Sarson said, "In typical bureaucratic fashion, the FCC did not inform ACT of this move."[138] Instead, the women of ACT heard of the publication of their guidelines through a friend in another advocacy group, the Citizens Communications Center in Washington, D.C.[139]

According to the Federal Communications Commission Public Notice, the Commission announced that on February 12, 1970,

> The Commission herewith gives notice that it has today accepted, as a petition for issuance of a notice of proposed rule making, the submission of the organization, Action for Children's Television, filed with the Commission on February 5, 1970. The submission urges the adoption of the following rules to govern all programming for children:

1. There shall be no sponsorship and no commercials on children's programs.

2. No performer shall be permitted to use or mention products, services or stores by brand name during children's programs, nor shall such names be included in any way during children's programs.
3. Each station shall provide daily programming for children and in no case shall this be less than 14 hours a week, as part of its public service requirement. Provision shall be made for programming in each of the age groups specified below, and during the time periods specified below:

A. Pre-school:	Ages 2-5:	7 a.m. – 6 p.m. daily
		7 a.m. – 6 p.m. weekends
B. Primary:	Ages 6-9:	4 p.m. – 8 p.m. daily
		8 a.m. – 8 p.m. weekends
C. Elementary:	Ages 10-12	5 p.m.- 9 p.m. daily
		9 a.m.- 9 p.m. weekends

Once the FCC published these guidelines, interested parties was expected to submit comments for or against the stipulations becoming rules for broadcasters.[140]

Evelyn Sarson was concerned that no one would respond to the call for public comments in favor of the rules. She wrote,

> Broadcasters have easy access to FCC activities through lobbyists and lawyers in Washington. The FCC, as the representative of the public's interest, has no direct way of telling the public when issues of vital interest are under consideration. Whatever anyone's views on children's TV today might be, it is most important that the viewing public be told when they have a once-only chance to express their opinions on this topic to the Commission.[141]

To increase the public's awareness of the proposed rulemaking, ACT sent out letters to its members and posted flyers nationwide encouraging "friends" to write letters to Dean Burch at the FCC.[142] One of the flyers read:

> If you are concerned about the quality of children's television programs today, now is the time to act. For years, people have complained and criticised. For the first time, the Federal Communications Commission is ready to take action. . . .We need your help to demonstrate that the public cares about what children see on television. . . .We must show the FCC that the public demands change in children's commercial TV. WRITE TODAY OR IT'S TOO LATE.[143]

In a similar campaign, ACT sponsored a balloon write-in where balloons would be handed to children at the same time letter writing information was distributed in public parks.[144]

Less than six months after the FCC requested comments from interested parties by issuing the Notice of Proposed Rulemaking (NPRM) the commission received over 5,000 letters. A small number of letters were in opposition to the proposal's advertising limits and raised educational standards, and most of these came from broadcasters and advertisers. [145] CBS called the proposal "unwise, inappropriate, and unnecessary" because the network "recognize(d) the need to improve the quality of programming for children."[146] Palmer Broadcasting, which had stations in Iowa and Florida, said the proposal was "unconstitutional." Kern Broadcasting, which had one station in California, reasoned that "improved vocabularies, increased knowledge and expanded experiences may result from children's commercials."[147]

Broadcasters also had financial reasons for their reluctance to agree with eliminating or cutting advertising time because of the great revenue generated from commercials for products such as cereal, toy, and candy aired during children's programs.

> Children's programs represented about $75 million in network revenues last year (1970). CBS-TV's 1970 children's-show revenues were at $39.9 million, ABC-TV's were at $20.2 million, and NBC-TV's were at $14.6 million. . . .A ban on commercials would cause considerable dislocation for advertisers, especially Kellogg ($8.9 million in network children's shows in 1970), Mattel toys ($7.8 million), and General Mills ($7.1 million) which together account for 25% of all such revenues. These three and five others—General Foods ($6 million), Deluxe Topper ($4 million), Quaker Oats ($.38 million), Miles Laboratories ($2.6 million), and Mars, Inc. ($2.3 million)—accounted for half of the three-network total. In all, 80 advertisers used network children's programs 1970.[148]

As a result, a potential loss of revenue was the main complaint in the letters of opposition to the proposal.[149] NBC contended that it would not be able to air quality children's specials, such as *Heidi,* if there were no sponsors for the programs.[150]

Several groups echoed NBC's assessment that ACT's proposal was financially impractical. ABC and other station owners said production costs of children's television programs were so high that children's programs would decline without advertising support.[151] In documents ABC submitted to the FCC, the network reasoned that "(e)liminating commercials from children's programs would remove the critical financial underpinning which makes all program efforts possible." Storer Broadcasting Company said it was misguided to ask that commercial broadcasters be held to the same standard as a program such as *Sesame Street* and its $8 million budget. *Sesame Street* was financed by private foundations and the U.S. government, not advertisers. It was unrealistic to expect commercial broadcasters compete with *Sesame Street's* yearly $8 million budget. The National Confectioners Association, National Candy Wholesalers Association, Inc., and the Peanut Butter Manufacturers and Nut Salters Association, Inc. said, "It is a proposal to kill the goose which lays the golden eggs. . . .If the goose is sick let the broadcasters, consumers and sponsors, not the FCC improve its health." [152] To these rationales Charren responded, "If that is going to bankrupt (them), (they) should be in the shoe business" and not in broadcasting.[153]

The majority of the letters were in support of ACT's proposal. By the end of the summer, the supportive letters filled 14 file boxes at the FCC. One mother from Boston wrote, "I have become so disgusted with the amount and quality of commercials on children's programs that I refuse to buy products made by the sponsoring manufacturers.

This seems to be the only way I can fight large companies bent on turning my children into morons."[154] A teacher from Beverly Hills, California, said the proposal was necessary because she came "in daily contact with children who cannot read a story, but can recite the plot of any number of television shows."[155] A father of a five-year-old in Gainesville, Florida, responded that "television has become a consumer-conditioner straight out of *Brave New World.* If the FCC can't help, perhaps more drastic alternatives are needed."[156]

In January of 1971, the Federal Communications Commission considered all of the letters submitted regarding ACT's proposal, but it still wanted to gather more information before making a decision. The agency formed ACT's proposal into a joint Notice of Inquiry (NOI) and aNPRM. The NOI meant that the FCC wanted more comments about a rule, and the NPRM would allow the FCC to make a rule, if it wished, based on those comments.[157] Chairman Burch, an ally of children's causes at the FCC, said, "I hope it (combined the NOI/ NPRM) will lead to some reasonable action." Commissioner Nicholas Johnson, who did not always agree with Burch but did in this case, said it was "tragic and regrettable that the commission did not issue proposed rules" after ACT's proposal was accepted in 1970.[158]

A New Climate . . . Self-Regulation

As ACT's president, Evelyn Sarson had a different goal for the NOI/NPRM than the FCC did. A rule from the FCC was not necessary. She simply wanted broadcasters to add educational content and eliminate commercial content. She said,

> ACT is not seeking rules to govern program content, but rather, is hoping for a change in attitude on the part of those making programming decisions. Decisions should be made with the child in mind, not profit. I think the talent is available,

> but it's not being used. Children are being shortchanged by a medium that has a tremendous capacity for reaching them.[159]

Sarson's thoughts were prophetic, the FCC did not make rules to govern program content because broadcasters altered their content to serve the child audience and avoid strict, enforceable regulations. Soon after the FCC announced that ACT's proposal would be considered for proposed rulemaking, advertisers and broadcasters changed their operation strategies.[160]

In September of 1971, Chairman Dean Burch expressed "cautious optimism" about broadcasters' commitment to educating children in the impending children's television season. He saw that the upcoming season responded to the FCC's calls for more than cosmetic changes in children's broadcasting. At a speech before 800 members of the International Radio & Television Society at New York's Waldorf-Astoria Hotel, Burch said,[161]

> In this new climate, as I test the winds, the over-all thrust is to emphasize the positive, to regard television for children as a potential for good. The corollary is that an increasingly mobilized, increasingly concerned, increasingly critical audience is watching.
>
> And with only so much tolerance I think there is no need to draw you any pictures. The monkey, as always, is squarely on the broadcasting industry itself, along with its satellite industries and camp followers. But the supporting cast is a long one.[162]

Burch contended that while the "good ladies of ACT" and others were making reasonable cases for better children's programming, broadcasters still had to balance the "classic case of the latent conflict between public service and the profit motive ---with broadcasting, necessarily on both sides at once." [163] In an attempt to take on that challenge, the three broadcast networks were attempting to reach children with their programming as a preemptive strike before the FCC made enforceable rules requiring

them to do so.[164] ABC, CBS, and NBC tried, at varying degrees, to incorporate some of ACT's goals into their children's programs by adding educational programs and earmarking some of their broadcast days for commercial free programming.

While the group of Boston mothers worked to get the FCC to create a compromise for children's television, the networks were formulating their own plans. The National Association of Broadcasters (NAB) and individual broadcasters had been conducting research on violence in children's programs several years before the NOI/NPRM was issued. However, the FCC's call for comments encouraged the NAB and individual broadcasters to submit their research to the FCC and to each other at the 1971 NAB conference.[165]

A large amount of network funds and time were devoted to children's television research. In 1971, it was estimated that CBS had devoted $600,000 to violence on television research in the previous decade; NBC conducted a five-year study into the same topic under the guidance of noted sociologist Dr. Paul Lazarsfeld,[166] and ABC did a two-year in-the-field study of children and television.[167] After hearing about NBC's study, University sociology professor Rose Goldsen, a former student of Lazarsfeld's, wrote him "a compassionate letter of dissent." Goldsen denounced these studies saying NBC's research was "a piece of nonsense and a delaying tactic to keep existing television fare unchanged."[168]

In response to the criticism and the FCC's inquiry, the networks also began increasing the amount of quality children's programming. ABC offered two new major series to its daytime weekend schedules. *Make a Wish* was a live-action program produced by ABC News and aired on Sunday mornings at 11:30. The show's host Tom

Chapin would ask the home viewers, "Did you ever wish you were a _____?" Then the program would revolve around the wish for the week.[169] The show's producer, Lester Cooper, explained the show as "a free association of ideas where a single theme will be developed. The subject will suggest the wish and the theme. Africa, for example, might suggest lions; Apollo 15 might suggest flying."[170] ABC's second major series, *Curiosity Shop* combined live action interviews with the four children who worked as hosts, the cast of puppets like Flippo the Hippo. The variety show, aimed at kids 6 to 11, was filled with film and music.[171] Other programs in ABC's 1971 season were the animated *Jackson Five* and *The Funky Phantom* with prosocial and problem-solving benefits.[172] *Schoolhouse Rock*, three-minute vignettes teaching children multiplication, grammar, and American history during the Bicentennial set to rock music became a Saturday and Sunday morning mainstay on the network between the programs in 1972 through the 1980s. [173] It was estimated that the musical lessons ran 300 times per year.[174] At the same time, the network rationalized that programs such as *Yogi's Gang*, with Hanna-Barbera characters such as Deputy Dog, educated children on environmental issues and the cartoon *Super Friends*, a comedy-adventure starring great comic book heroes such as Wonder Woman and Superman, who solved problems with a "prosocial effect."[175]

CBS labeled its 1971 season as being "quality programming for the young."[176] CBS Director of Children's Programming Allen Ducovny said of the new season, "I think we're in a process of evolution in children's programming. We want, in particular to raise the level of entertainment—that's fundamental—but also to provide some learning experience."[177] Of CBS's five and a half hours of Saturday morning programming, two hours and 20 minutes introduced children's to current events through

new programming. Most of CBS's 1971 Saturday morning fare were animated programs without much educational content such as *Scooby Doo, Where are you?*, *Pebbles and Bam Bam*, a spin-off of the pre-historic cartoon *The Flintstones* and *Archie's TV Funnies*, which was based on the classic comic book series.[178] CBS aired the series *Children's Film Festival* to demonstrate its commitment to enriching children's lives. The hour-long umbrella program showcased international children's films such as *Heidi*, edited to one hour.[179] The films ran for 52-weeks on Sunday afternoons and then on Saturday afternoons from 1 to 2. [180]

CBS also offered several live-action programs. Walter Cronkite's child's version of his 1950s program *You are There* could be seen on Saturday afternoons from 12:30 to 1.[181] In this program historical events were re-enacted with the help of "first-hand" interviews with historical figures such as Paul Revere and Lewis and Clark.[182] Describing the show Ducovny said, "If we decided to show the surfacing of the submarine Skate at the North Pole, Walter Cronkite will be in touch with a newsman on the craft and with a young man at the Pentagon."[183] In another attempt to serve the child audience CBS aired eight two-and-a-half-minute news segments in a series called *In the News*. These programs were sandwiched between animated musical shows such as *Josie and the Pussycats, The Partridge Family: 2200 A.D.*, and *The Monkees.*

NBC added three new series to its 1971 lineup. *Barrier Reef* was an underwater adventure series where aquatic life was used to commit murders.[184] *Take a Giant Step* was an hour-long live action show made by 13-to-15 year-olds and for 7-to-14-year-olds. NBC's Vice President of Children's Programming said live-action programs had three goals: to help children make their own value judgments; to build oral vocabularies, and

to enrich a generation of children who are already information-rich, but experience-poor."[185] The network also took the science show, *Mr. Wizard,* off the shelf after six years.[186] The program featured scientist Don Herbert and some children conducting experiments in and out of a laboratory.[187] In *Time's* commentary about the show's 1971 television season K. Kelly wrote, "(t)he premiere half hour was concerned mainly with the elaborate preparations necessary for setting up a color magnifier in order to view underwater life on a giant video screen. Science could be exciting. Not, unfortunately, on this show."[188] In 1972 the networks added more live-action, science-based programs. NBC offered the dinosaur program, *Land of the Lost*. All three networks used dinosaurs to bring educational value to their Saturday morning line-ups.[189]

NBC also came up with a plan to cut some its commercial time in 1972. The network planned to air a half-hour of children's programs without commercials. The show would be designed for children aged three to six and be devoted to education and entertainment. What separated NBC's attempt from the others is that local broadcasters would have to pay for this commercial-free programming with a fee. This "program service charge" was imposed to offset "substantial production costs."[190]

The broadcasting industry's standard-setting body, the National Association of Broadcasters also tried to address ACT's concerns about television advertisements and children. In January of 1972, the National Association of Broadcasters Code suggested that the broadcasting networks, affiliates, and independent stations cut some of their commercial time. The NAB Code was instituted to make rules for broadcasters to follow in an effort to thwart government regulation. This association voted that hosts should not be salespersons on their programs and that the broadcasters decrease their commercial

and other nonprogramming content during the weekend by 25 percent.[191] The latter provision, devised by ABC, reduced the amount of nonprogram time from 16 to 12 minutes per hour on Saturdays and Sundays. [192] Another provision reduced by half the number of interruptions for commercials by limiting them to not more than two within any 30-minute program and not more than four within a 60-minute program.[193]

The networks had different reactions to the decision. ABC programmers, the originators of the NAB amendment, were pleased with the decision. Since late 1971, ABC has been calling for the NAB to make a standard for advertising limits because "participation by other networks and sponsors (was) necessary so that one network would not be placed at an economic disadvantage" while trying to serve children.[194] CBS wanted the commercial cut to be spread over the week, instead of just the weekends, but said it would accommodate itself to the provisions. A spokesman for NBC said, "We are pleased that it has been adopted." That network followed this standard instead of its plan to charge a fee to its affiliates. [195]

Evelyn Sarson, speaking as ACT's president, was doubtful of the NAB's commitment to cutting advertisements from children's programs. She wrote an editorial to *The New York Times* accusing the broadcasters of the "Five Deadly Sins." Using the first sin, "greed," Sarson criticized broadcasters' cuts in advertising to children. She wrote,

> Broadcasters have become incredibly greedy about making as much money as possible from children's television. With great fanfare, the Code Authority of the National Association of Broadcasters announced that it will cut down Saturday and Sunday morning television commercials to 12 minutes per hour. It neglected to mention that this special protection still allows more selling to children that the eight to ten minutes in adult evening prime time programs. . . .Greed is still the name of the game. We must seriously question whether the NAB Code Board had any concern for its child audience when it decided to minimally reduce the

> amount of advertising. What seems incredibly clear is a panic-stricken move to do anything to get those critics off their backs without any real concern of awareness of the tremendous power and responsibility that are involved in using the television airwaves. [196]

In the same article, Sarson accused broadcasters of the sin of omission for "depriving a whole generation of children of exciting and creative television experiences" and "sloth" for "the laziness which comes from wanting to do nothing."[197]

To help broadcasters combat their "laziness," ACT had a solution to their reluctance to change their programming strategies. The organization worked with University of Pennsylvania professor William H. Melody, a member of ACT's advisory board, a group of educators and broadcaster who helped guide ACT's projects, presented his solution, "Alternative Methods of Financing for Children's Television," at ACT's Third Annual Symposium held at Yale University.[198] The plan called for the three broadcast networks to set aside a few hours of Saturday morning programming that would be paid for by a combination of foundation, institutional advertiser, and government funds. The Sunday and weekday programming would be included as more funds became available, thus protecting the networks and their affiliated stations from advertising revenue losses.[199]

ACT's study countered a study released by the FCC earlier in the year showing that "the elimination of commercials from television programming for children could cost the major networks millions of dollars they could not replace."[200] In the FCC study, researcher Dr. Alan Pearce found that an elimination of ads would cause the networks to lose $75 million.[201] But ACT maintained, when presenting the plan at a three-day, FCC hearing in early January 1973, that its plan would work because it was a gradual change over five to seven years.[202]

Most broadcasters and advertisers disagreed with ACT's plan to create a minimum requirement for children's programs and gradually eliminate advertising from children's programs. James Neal Harvey, president of James Neal Harvey, Inc., an advertising firm, said referring to ACT, "(S)eldom have so few done so much to confuse so many. And rarely has emotion paid so little mind to fact." In this statement, he criticized ACT's disapproval of television. Harvey wondered if ACT truly understood the economics of a market that garnered $75 million a year. He expanded his criticism of ACT by saying that children enjoyed advertising. According to Harvey, children like chewing gum, cereal, and toys. Therefore, they like the advertising for these products.[203]

During the second day of the FCC's January 1973 hearing, a member of CBS's general counsel's office, Michael Goldey, testified that there was "no evidence to support a theory that a ban on commercials and a minimum of 14 hours weekly of children's programming would result in better programs."[204] American Association of Advertising Agencies' spokesman Dr. Seymour Banks testified that a Roper survey found that five out of every six American adults accept commercials as a means of paying for children's TV shows.[205] Banks said this finding "defended the principle of advertising to children."[206]

NBC attorney Howard Monderer expressed the sentiments of all of the networks, saying, "(W)e have tried on a planned basis over the past seven years to do what our critics are asking you to force us to do." Monderer explained that NBC, as a result, had lost a sizable amount of its viewing audience and advertising. Monderer testified that NBC's viewers "dropped by 25 percent and advertising on morning shows for children slipped 10 to 15 percent."[207] CBS's lawyer Michael Goldey testified that his network rejected "the notion that the government should or could determine what is good

programming." Goldey asserted that when the government had limited the "network's voice" in the past, it did not lead to better programming.[208]

Instead of the government advising them on what programming content to air, broadcasters relied on their self-regulatory body, the National Association of Broadcasters, for more advertising standards. On June 9, 1973, the NAB issued guidelines for broadcasters to consider when selecting advertising to air on their children's program schedules. Among the ten guidelines issued by the NAB:

1. Advertisers shall not use material that would frighten children.

2. Advertisements shall be presented in a straight-forward manner devoid of language or production techniques, which may exaggerate or distort the characteristics or functions of the product.

3. Advertisements for edibles shall be in accord with the commonly accepted principles of good eating . . . .

4. Appeals shall not be used which directly or by implication contend that if children have a product they are better than their peers.

5. Advertisements shall portray attitudes and practices consistent with generally recognized social values and customs.

6. When self-concept claims are employed, the role of the product services in affecting such promised benefits as strength, growth, physical prowess, and growing up must accurately reflect documented evidence.

7. Advertisers should insure that a commercial serves a positive function and avoids being exploitative or inappropriate to a child's still developing cognitive abilities and a sense of values.[209]

Peggy Charren was not impressed with the NAB's plentiful guidelines. She said, "I don't think these mean any more than the other NAB guidelines. We find they write very good guidelines, but never follow them."[210] ACT was so unimpressed with the NAB's guidelines in 1973, the group awarded the National Association of Broadcasters a fictitious marshmallow for the dubious distinction of "being too squishy to enforce any

of its regulations."[211] Using stronger language, Charren called any attempt by the industry to self-regulate "arrogant and irresponsible."[212]

In a statement before the FCC, the NAB discounted ACT's statements. The director of the NAB Code Authority, Stockton Helffrich, said,

> Broadcasters and critics of broadcasters alike during this period have in varying degrees sometimes expected too much of regulation (self or governmental) and at the same time not credited regulation as it is, and as it improves, for even the most obvious of its real accomplishments. Actually established, on-going and currently developing achievements of self-regulation are thus by some minimized, brushed off as inadequate, even denied as having any existence or, if recognized, are so taken for granted as not even to be considered worth applauding.[213]

Helffrich also contended that the good in the NAB code was being forgotten, and self-regulation could be used "constructively by those who recognize the value of broadcasting in our lives and who seek with broadcasters every feasible avenue available to improve its tremendous public service." Helffrich acknowledged that some broadcasters were being responsible and provided quality children's programs.[214]

Regardless of the Helffrich's comments, ACT's leaders were pleased with a few of the changes made by the broadcasters in the years since the organization sent its petition to the FCC. Charren said, "(W)e don't know how far we're going to get, but we're making noise. Maybe the most important thing we've done has been to just get people to look at what the television broadcasters are showing to their children. That ought to be enough to make them want to do something about it."[215] Apparently it was enough because broadcasters did try to alter their schedules in the years of 1971 through 1974.

Broadcasters, Pull Up Your Socks

By October 24, 1974, the Federal Communications Commission received more than 100,000 responses to the NOI/NPRM issued in January 1971.[216] After considering

the comments, FCC issued its Report and Policy Statement regarding ACT's petition for the elimination of sponsorship and the establishment of a weekly 14-Hour Quota of Children's Television Programs (1974 Policy Statement).[217] In the Policy Statement, the FCC did not hand down specific rules, but it did issue guidelines that it hoped broadcasters would use when scheduling their broadcast days.

Instead of mandating what ACT had asked for in 1970, the Policy Statement asked commercial television licensees to:

1. Make a "meaningful effort" to increase the amount of programming for children;
2. Air a "reasonable amount" of programming for children designed to educate and inform and not simply to entertain;
3. Air informational programming separately targeted for both preschool and school-age children; and
4. Air programming for children scheduled during weekdays as well as on weekends.[218]

Commercial television broadcasters also were expected to:

1. Limit the amount of advertising in children's programming;
2. Insure an adequate separation between program content and commercial messages; and
3. Eliminate host-selling and tie-in practices.[219]

In setting the programming requirements, the Policy Statement stated that broadcasters' future license renewal applications should reflect a "reasonable amount" of programming designed to educate children. The FCC listed several ways broadcasters could achieve this requirement without airing "dull classroom" television. The FCC suggested that stations air programs about history, science, literature, the environment, drama, and human relations to further a child's development. Additionally, broadcasters

should continue to add educational fare as they had done when the FCC issued its NOI/NPRM in 1971.[220] While the commission found the obligation to serve the educational needs of children important, it did not believe that it was necessary to prescribe a specific number of hours per week broadcasters had to air these programs. Instead, the amount should be "reasonable" and checked on a case-by-case basis.[221] These stations had until January 1, 1976, to provide a make changes in its programming for children.[222]

To clarify its advertising expectations, the FCC reasoned that children were more "trusting and vulnerable to commercial pitches than adults" and that children "cannot distinguish conceptually between programming and advertising."[223] Using this rationale, the FCC asked that broadcasters curtail some of their advertising practices. The FCC also found that the complete elimination of advertising could prove detrimental to all of children's programs. Without advertising revenue, these shows would lessen the amount and quality of such programming. Some of the responses to the petition gathered for the 1974 report suggested alternatives to commercials, including underwriting. [224]

The FCC had two reasons for not handing down more specific rules for broadcasters to follow when considering children's programming. First, the FCC turned to the First Amendment. The FCC said it "constantly walked a tightrope between saying too much and saying too little in applying the public interest standard."[225] The commission acknowledged that broadcasters have the public interest obligation, but too many rules could become censorship.[226] The licensee traditionally had had a broad discretion in choosing content to serve the public interest, and that discretion would continue. Second, the FCC also reasoned that it was not necessary to make rules at that

time because of the efforts of broadcasters and advertisers to self-regulate in the last three years. For this reason, the FCC did not make any formal rules requiring broadcasters to curtail advertising time during children's programs. The commission did leave the case file open, affording opportunity to issue regulations once it could assess the effectiveness of self-regulation.[227]

Ultimately, the 1974 Policy Statement affirmed what the women of ACT already knew—broadcasters had to serve the interests of children in return for their right to use the airwaves.[228] As ACT determined for itself in 1969, the FCC reiterated that the "use of television to further the educational and cultural development of America's children bears a direct relationship to the licensee's obligation under the development under the Communications Act of 1934 to operate in the public interest."[229]

Initially, Charren said the Policy Statement was a "cop-out" because "twenty years of self-regulation of children's television has shown us that the only way to get real change is with a rule."[230] However, she did say that the statement was "better than nothing" because it was a success in other ways. [231] Charren said,

> (I)t was extraordinary in the history of broadcasting in America. It said broadcasters have to serve children with a diversity of programming. In a way, it was what we were trying to get the FCC to say. We didn't think we needed rules. We thought the law saying the public interest was enough of a law. And all somebody had to do was say, 'Pull up your socks, industry.' And to a degree the policy statement did that.[232]

Charren also argued that the Policy Statement was somewhat empowering to ACT. Speaking to the National Association of Television Program Executives, Charren said, "in one of the clauses (of the Policy Statement) the FCC urges parents to hold stations accountable for the kinds of programming they put on for children. Now we didn't ask for a sword of Damocles, but I think that's what we've got."[233] Charren meant that the

Policy Statement instructed ACT, other organizations, and concerned parties to be constantly aware of what stations were airing and being active in monitoring children's programs.[234]

The 1974 Policy Statement was the result of the first six years of Action for Children's Television. When ACT's four founders met in Peggy Charren's living room they were determined to do something about the lack of educational content and excessive commercialism on children's television. After conducting their own research on what their children were watching, the women decided that the problem with television was the lack of diversity in programs for children of specific age groups. ACT's guidelines asked the broadcasters to eliminate commercials from children's programming and that broadcasters air a minimum of 14-hours a week of educational programming.

When ACT presented these suggestions to broadcasters they were met with some resistance. Although the broadcast executives were impressed with ACT's presentation, they pointed out that ACT's desires were impractical in the advertising/audience driven industry of broadcasting. Not deterred by their meeting with the broadcasters, ACT presented its proposal in the form of a petition to the FCC. At the FCC, ACT met with a sympathetic commissioner Dean Burch, who was receptive to considering ACT's guidelines. As a result, the FCC accepted ACT's petition and began proposed rulemaking procedures in February 1970.

Broadcasters responded to the proposed rulemaking by adding educational programs and reducing some commercial content in the 1971 and 1972 television season. Programs such as, *Make a Wish*, featured live action segments inspiring creative

thought and academic learning. Regardless of their attempts to better their children's television schedules, broadcasters and advertisers opposed ACT's proposal saying it violated their First Amendment freedoms and would hamper their financial revenue.

The FCC's members acknowledged the broadcasters sentiments when it issued its Children's Television Report and Policy Statement of 1974. The FCC praised the broadcasters' attempts to add educational programming and cut some commercial time. In the 1974 Policy Statement, the FCC opined that the rulemaking did not offer any conclusive data that would mandate a children's television rule. Instead, the commission reminded broadcasters of their public interest responsibilities to serve the broadcast audience and the children in that audience. The commission also warned broadcasters that it would keep the procedure open and it would check to be sure broadcasters were maintaining the responsibility to their child audience.

Over the next six years, ACT continued to lobby the FCC to make a children's television rule. ACT also approached the regulatory agencies, the Federal Trade Commission and the Consumer Product Safety Commission about making rules for children's advertisements and toy safety, respectively. Not only was ACT seeking regulatory changes, but worked to increase parental involvement in their children's use of media. The next three years also saw ACT's leadership undergo significant changes. Three of ACT's four founders had left the group by 1974, leaving Peggy Charren the sole leader of the group. As such, she became ACT's main spokesperson and the face in front of the organization.

Notes

1. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

2. "TV's Saturday Gold Mine," *Business Week*, 2 August 1969, 96.

3. "TV's Saturday Gold Mine," *Business Week*, 2 August 1969, 97.

4. Http://www.yesterdayland.com.

5. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

6. Russell Scott, Patrick Young, and Kerry Brown. 2000. Romper room. Http://www.yesterdayland. com.

7. Ellen Goodman, "Mothers win first Battle in TV War," *The Boston Globe*, February 1970. Reprinted in ACT's Newsletter, Spring 1970.

8. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly*, Summer 1970, 50.

9. Action for Children's Television Newsletter, October-November 1969.

10. Http://www.yesterdayland. com. The Weebles had cars, buses, and tree houses that were all sold separately.

11. Judith Chalfen, interview by author, 18 October 1999, tape recording.

12. Action for Children's Television Newsletter, October – November 1969.

13. Action for Children's Television Newsletter, October – November 1969.

14. Carol Liebman, "Of Toys, Toys, and TV: The Santa Swindle," *The Village Voice,* 17 December 1970. ACT Reprint, Winter 1970.

15. Carol Liebman, "Of Toys, Toys, and TV: The Santa Swindle," *The Village Voice,* 17 December 1970. ACT Reprint, Winter 1970.

16. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly,* Summer 1970, 50.

17. Evelyn Sarson, interview by author, 20 November 1999, tape recording.
18. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

19. Percy Shain, "Mothers' Group Scores Fall TV Programming," *The Boston Globe*, 22 September 1970. ACT Reprint, Winter 1970.

20. Action for Children's Television, ACT's Background to Guidelines, (no date). ACT published their Statement of Purpose and Guidelines in an effort to recruit members.

21. Action for Children's Television Newsletter, vol.1, no. 4, Fall 1970.

22. Action for Children's Television, ACT's Background to Guidelines, (no date). ACT published their Statement of Purpose and Guidelines in an effort to recruit members.

23. Action for Children's Television, ACT's Background to Guidelines, (no date). ACT published their Statement of Purpose and Guidelines in an effort to recruit members.

24. John Milton. 1997. Renascence Editions: Areopagitica. Http://www.uoregon.edu/~rbear/areopagitica.html. Accessed August 1, 2001. This was part of the speech memorized by the young Peggy Charren.

25. Action for Children's Television, Background to Guidelines, March 1970.

26. Peggy Charren, interview by author, 19 October 1998, tape recording.

27. Peggy Charren, interview by author, 19 October 1998, tape recording.

28. There is some question about which group member "discovered" the regulatory hook—the Communications Act of 1934. Evelyn Sarson and Judith Chalfen said it was Lillian Ambrosino. Peggy Charren said she stumbled upon it.

29. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

30. Judith Chalfen, interview by author, 18 October 1999, tape recording.

31. Peggy Charren, interview by author, 19 October 1998, tape recording.

32. Communications Act of 1934, 47 USC § 151, 307.

33. Peggy Charren, interview by author, 19 October 1998, tape recording.

34. Judith Chalfen, interview by author. 18 October 1999, tape recording.

35. Peggy Charren, interview by author, 19 October 1998, tape recording.

36. The Children's Television Act of 1990. 47 U. S. C.§ 303.

37. Evelyn Sarson, interview with author. 20 November 1999, tape recording.

38. Andrew Chalfen, interview with author, 8 March 2001, electronic mail.

39. Action for Children's Television. ACT Newsletter, vol.1 no. 1, October-November 1969.

40. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

41. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

42. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

43. Michael Ambrosino. 2000. Michael Abrosino autobiography. Http://www.wgbhalumni.org/reunion/mike_amb.htm. Accessed September 2, 2001.

44. Susan Tyler Eastman and Douglas A. Ferguson, *Broadcast/Cable Programming Strategies and Practices* (Boston: Wadsworth Publishing Company, 1997).

45. Michael Ambrosino, interview by author, 7 January 2000. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

46. Peggy Charren, interview by author, 19 October 1998, tape recording.

47. Judith Chalfen, interview by author, 18 October 1999, tape recording.

48. Judith Chalfen, interview by author, 18 October 1999, tape recording.

49. Barbara's Bio. 2001. Http://abc.go.com/theview/hosts/walters.html. Accessed December 1, 2001.

50. Judith Chalfen, interview by author, 18 October 1999, tape recording.

51. Action for Children's Television Newsletter, vol. 2, no.2, Fall 1971.

52. Daniel Chalfen, interview by author, 15 March 2001, electronic mail.

53. Judith Chalfen, interview by author, 18 October 1999, tape recording.

54. Peggy Charren, interview by author, 19 October 1998, tape recording.

55. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly*, Summer 1970, 50.

56. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly*, Summer 1970, 50.

57. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

58. Action for Children's Television Newsletter, vol.1, no. 1 October-November 1969.

59. Action for Children's Television. Letter to WHDH-TV demonstration participants, 18 October 1969.

60. Action for Children's Television. Letter to WHDH-TV demonstration participants, 18 October 1969.

61. Action for Children's Television. Letter to WHDH-TV demonstration participants, 18 October 1969.

62. Peggy Charren, interview by author, 19 October 1998, tape recording.

63. Peggy Charren, interview by author, 19 October 1998, tape recording.

64. "The Captain is Back," Action for Children's Television Newsletter, vol.1 no 2, January-February 1970.

65. This article was a part of Judith Chalfen's personal collection of ACT material. Christian Science Monitor, 24 March 1970.

66. Fred Ferretti, "Women's Group Urges Network to Take Ads off Children's TV," *The New York Times*, 7 January 1970, 87.

67. Caryl Rivers, "And What Four Mothers are Trying to do about it, *The New York Times*, 27 December 1970, D21.

68. Caryl Rivers, "And What Four Mothers are Trying to do about it, *The New York Times*, 27 December 1970, D21.

69. According to Peggy Charren, ACT had requested meetings with NBC but were rebuffed. In a personal interview with Evelyn Sarson, she recalled her experiences with NBC children's programming director. Their first approaches at NBC were less successful. As Sarson recalled, "the NBC guy, George Heineman was very much inept—a front man. NBC didn't do much."

70. Fred Ferretti, "Women's Group Urges Network to Take Ads off Children's TV," *The New York Times*, 7 January 1970, 87.

71. Children's Boon for Adults: CBS Children's Drama." *Time.* December 12, 1969, 76.

72. Children's Boon for Adults: CBS Children's Drama." *Time*. December 12, 1969, 76.

73. Tom Cooper. 1999. User comments. Http://us.imdb.com. Accessed December 1, 2001.

74. Fred Ferretti, "Women's Group Urges Network to Take Ads off Children's TV," *The New York Times*, 7 January 1970, 87.Upon first approach, ABC refused to meet with the women, but conceded after ACT met with CBS executives.

75. "Children's Boon for Adults: CBS Children's Drama," *Time,* 12 December 1969, 76. The increased costs could be attributed to the days filming on location in New York City and high quality documentary director Robert Young and writer Jane Wagner.

76. " TV's Saturday Gold Mine." *Business Week*, 2 August 1969, 96.

77. Fred Ferretti, "Women's Group Urges Network to Take Ads off Children's TV," *The New York Times*, 7 January 1970, 87.

78. Fred Ferretti, "Women's Group Urges Network to Take Ads off Children's TV," *The New York Times*, 7 January 1970, 87. Upon first approach, ABC refused to meet with the women, but conceded after ACT met with CBS executives.

79. Fred Ferretti, "Women's Group Urges Network to Take Ads off Children's TV," *The New York Times*, 7 January 1970, 87.

80. Fred Ferretti, "Women's Group Urges Network to Take Ads off Children's TV," *The New York Times*, 7 January 1970, 87.

81. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly*, Summer 1970, 50.

82. Evelyn Sarson, interview by author, 20 November 1999.

83. Caryl Rivers, "And What Four Mothers are Trying to do about it, *The New York Times*, 27 December 1970, D21.

84. Judith Chalfen, interview by author, 18 October 1999, tape recording.

85. Judith Chalfen, interview by author, 18 October 1999, tape recording.

86. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly,* Summer 1970, 50.

87. Action for Children's Television Newsletter, vol. 1, no. 2, January-February 1970.

88. Evelyn Sarson, interview with author, 20 November 1999.

89. Action for Children's Television Newsletter, vol.2, no.1, Spring 1971.

90. Action for Children's Television Newsletter, vol.3, no. 2, Fall/Winter 1972/3.

91. Action for Children's Television Newsletter, vol.1, no.1, October-November 1970; Richard K. Doan, "Boston Tea Party1970, " *TV Guide*, 4 July 1970, 13.

92. Action for Children's Television Newsletter, vol.1, no.2. January-February 1970. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly,* Summer 1970, 50.

93. Action for Children's Television Newsletter. Vol.1, No.2. January-February 1970.

94 Program from the First National Symposium on Children and Television, 16 and 17 October 1970; Action for Children's Television, vol. 5, no. 4, Summer 1976; Action for Children's Television, vol. 6, no. 1, Fall 1976; *Action for Children's Television Newsletter*, vol. 5, no. 2, Winter 1976.

95. Program from the First National Symposium on Children and Television, 16 and 17 October 1970.

96. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly,* Summer 1970, 50.

97. Program from the First National Symposium on Children and Television, 16 and 17 October 1970.

98. Judith Chalfen, interview by author, 18 October 1999, tape recording.

99. Evelyn Sarson, ed. and Action for Children's Television, *The First National Symposium on Children and Television* (New York: Avon Books, 1971). This book contains excerpts from the symposium.

100. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

101. Daniel Chalfen, interview by author, 15 March 2001, electronic mail.

102. Andrew Chalfen, interview by author, 8 March 2001, electronic mail.

103. Daniel Chalfen, interview by author, 15 March 2001, electronic mail.

104. Daniel Chalfen, interview by author 15 March 2001, electronic mail.

105. Andrew Chalfen, interview by author, 8 March 2001, electronic mail.

106. Judith Chalfen, interview by author, 18 October 1999, tape recording

107. Andrew Chalfen, interview by author, 8 March 2001, electronic mail.

108. Michael Ambrosino, interview by author, 7 January 2000, tape recording.

109. Action for Children's Television Newsletter. Vol. 1, No. 4, Fall 1970.

110. Action for Children's Television Newsletter Vol. 1, No. 4, Fall 1970.

111. Michael Ambrosino, interview by author, 7 January 2000, tape recording..

112. Michael Ambrosino, interview by author, 7 January 2000, tape recording.

113. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

114. Judith Chalfen, interview by author, 18 October 1999, tape recording.

115. About the Markle Foundation. 2001. Http://www.markle.org/about. Accessed December 1, 2001. The philanthropy was established in 1927 and began focusing on communications media in1969.

116. Action for Children's Television. ACT Newsletter. Vol. 2 No 2. Fall 1971.

117. Judith Chalfen, interview by author, 18 October 1999, tape recording.

118. Action for Children's Television. Annual Report: January 1, 1971-December 29, 1971. This was just the beginning of ACT's outreach campaign.

119. Action for Children's Television. Annual Report: January 1, 1971-December 29, 1971.

120. Action for Children's Television Press Release. New Study of commercials on children's TV submitted to Federal Communications Commission.

121. Action for Children's Television. ACT Newsletter. Vol. 2 No 2. Fall 1971.

122. Action for Children's Television. ACT Newsletter. Vol. 2 No 2. Fall 1971.

123. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

124. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

125. Judith Chalfen, interview by author, 18 October 1999, tape recording.

126. Judith Chalfen, interview by author, 18 October 1999, tape recording.

127. Judith Chalfen, interview by author, 18 October 1999, tape recording.

128. Theodore Jacobs. "What's Wrong with Children's Television," *The New York Times*, 27 December 1970, D21.

129. ACT Annual Report, 1974.

130. Judith Chalfen, interview by author, 18 October 1999, tape recording.

131. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

132. Judith Chalfen, interview by author, 18 October 1999, tape recording.

133. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

134. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

135. Evelyn Sarson, interview by author, 20 November 1999, tape recording. Peggy Charren, interview by author, 18 October 1998, tape recording.

136. Peggy Charren, interview by author, 18 October 1998, tape recording.

137. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

138. Evelyn Sarson, *"Growing Grassroots in Viewerland," Television Quarterly,* Summer 1970, 50.

139. Evelyn Sarson, *"Growing Grassroots in Viewerland," Television Quarterly,* Summer 1970, 50.

140. Federal Communications Commission. Public Notice. Rulemaking 1569. February 12, 1970.

141. Evelyn Sarson, *"Growing Grassroots in Viewerland," Television Quarterly,* Summer 1970, 50.

142. Liz Roman Gallese, "Television Ads Aimed at Children Stir Ire of Parents, Critics," *Wall Street Journal*, 22 October 1970, 1.

143. Action for Children's Television. Letter writing campaign flyer. February 1970. This letter was written and signed by Evelyn Sarson. Most of ACT's letters did not contain a signature from any of the women.

144. Action for Children's Television Press Release. March 1970.

145. "FCC moves against children's TV, " *Broadcasting, 25* January 1971, 19. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly,* Summer 1970, 50.

146. Richard K. Doan, "Boston Tea Party1970, " *TV Guide*, 4 July 1970, 13.

147. Richard K. Doan, "Boston Tea Party1970, " *TV Guide*, 4 July 1970, 13.

148. "Something's Happening about Children's TV," *Broadcasting*. 10 May 1971, 17.

149. Children's Television Report and Policy Statement, 50 FCC 2d 1, 1974.

150. Richard K. Doan, "Boston Tea Party1970, " *TV Guide*, 4 July 1970, 13.

151. Isabelle Hall, "Push for Children's TV Gains Support," *Boston Globe*, 6 April 1970, 40.

152. Isabelle Hall, "Push for Children's TV Gains Support," *Boston Globe*, 6 April 1970, 40.

153. Peggy Charren, interview by author, 19 October 1998, tape recording.

154. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly,* Summer 1970, 50.

155. Isabelle Hall, "Push for Children's TV Gains Support," *Boston Globe*, 6 April 1970, 40.

156. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly,* Summer 1970, 50.

157. "FCC moves against children's TV, " *Broadcasting,* 25 January 1971, 17.

158. "FCC moves against children's TV, " *Broadcasting,* 25 January 1971, 17.

159. FCC moves against children's TV, " *Broadcasting,* 25 January 1971, 17.

160. Children's Television Report and Policy Statement, 50 FCC 2d 6, 1974.

161. George Gent, "Burch Optimistic on Children's TV," *New York Times*, 15 September 1971, 95.

162. Dean Burch. Address before the International Radio & Television Society, 14 September 1971.

163. Dean Burch. Address before the International Radio & Television Society, 14 September 1971.

164. Dale Kunkel, "Children and Television: Policy Battles of Defining Children's Education Television, " *The Annals of The American Academy of Political and Social Science* 337, May 1998, 39.

165. "Something's Happening about Children's TV," *Broadcasting*, 10 May 1971, 18.

166. Jack Gould, "Battle over Saturday Mornings Warms up," *New York Times*, 31 May 1971, 33.

167. "Something's Happening about Children's TV," *Broadcasting*, 10 May 1971, 18. It should be noted that the networks were not researching the crux of the FCC's proposal, the effect of advertising on television.

168. Jack Gould, "Battle over Saturday Mornings Warms up," *New York Times*, 31 May 1971, 33.

169. Russell Scott, Patrick Young, and Kerry Brown. 2000. Make a Wish. http://www.yesterdayland.com. Accessed September 1, 2001.

170. George Gent, "TV Networks Move to Upgrade Much-Criticized Children's Fare," *The New York Times*, 21 May 1971, 33.

171. Russell Scott, Patrick Young, and Kerry Brown. 2000. Curiosity Shop. http://www.yesterdayland.com. Accessed September 1, 2001.

172. George Gent, "TV Networks Move to Upgrade Much-Criticized Children's Fare," *The New York Times*, 21 May 1971, 33; Http://www.yesterdayland.com.

173. "Children's TV back to a Boil among Mediums Priorities," *Broadcasting*, 8 April 1974, 20.

174. Russell Scott, Patrick Young, and Kerry Brown. 2000. Schoolhouse Rock. http://www.yesterdayland.com. Accessed September 1, 2001.

175. Russell Scott, Patrick Young, and Kerry Brown. 2000. ABC Afterschool Specials. http://www.yesterdayland.com. Accessed September 1, 2001.

176. K. Kelly, "The Junior Season Opens," *Time*, 20 September 1971, 82. This article points out that the new season of children's programming begins around the same time as the first days of school for these same children.

177. George Gent, "TV Networks Move to Upgrade Much-Criticized Children's Fare," *The New York Times*, 21 May 1971, 33.

178. K. Kelly, "The Junior Season Opens," *Time*, 20 September 1971, 82.

179. George Gent, "TV Networks Move to Upgrade Much-Criticized Children's Fare," *The New York Times*, 21 May 1971, 33.

180. "Something's Happening about Children's TV," *Broadcasting*, 10 May 1971, 18.

181. George Gent, "TV Networks Move to Upgrade Much-Criticized Children's Fare," *The New York Times*, 21 May 1971, 33.

182. "Something's Happening about Children's TV," *Broadcasting*, 10 May 1971, 18.

183. M. Phillips, "Cronkite to do Saturday TV Shows for Children," *The New York Times*, 22 March 1971, 67.

184. K. Kelly, "The Junior Season Opens," *Time,* 20 September 1971, 82.

185. George Gent, "TV Networks Move to Upgrade Much-Criticized Children's Fare," *The New York Times*, 21 May 1971, 33.

186. K. Kelly, "The Junior Season Opens," *Time,* 20 September 1971, 82.

187. George Gent, "TV Networks Move to Upgrade Much-Criticized Children's Fare," *The New York Times*, 21 May 1971, 33.

188. K. Kelly, "The Junior Season Opens," *Time,* 20 September 1971, 82.

189. "Children's TV Back to a Boil Among Mediums Priorities,"21. CBS aired *Valley of the Dinosaurs* and ABC aired *Krog: 70, 000 B. C.*

190. George Gent, "NBC Plans Children's Show for '72 with No Break for Ads," *The New York Times*, 28 July 1971, 71.

191. Other than commercials, nonprogram time is used for news briefs, lottery drawings, and public service announcements.

192. Jack Gould, "ABC Bids to Overhaul Children's TV," *The New York Times,* 7 December
1971.

193. "NAB TV Board Votes a 25% Cut in Ads for Children," *The New York Times*, 22 January 1972, 59.

194. Jack Gould, "ABC Bids to Overhaul Children's TV," *The New York Times,* 7 December
1971.

195. "NAB TV Board Votes a 25% Cut in Ads for Children," *The New York Times*, 22 January 1972, 59.

196. Evelyn Sarson, "We as Parents Accuse you of the five Deadly Sins," *The New York Times*, 27 February 1972, 17.

197. Evelyn Sarson, "We as Parents Accuse you of the five Deadly Sins," *The New York Times*, 27 February 1972, 17.

198. Action for Children's Television Newsletter, vol. 3, no.2, Winter 1972.

199. Jonathan Kandell, "Fund Pool Urged to Replace Ads on Children's TV," *The New York Times,* 18 October 1972, 95.

200. "FCC says Loss of Children's Ads could Cost Millions," *New York Times*, 22 July 1972, 55.

201. WHAT IS THE NAME OF THE ARTICLE? *.Broadcasting*, 24 July 1972, 24.

202. Albin Krebs, "Study Supports Commercials Ban on Children's TV," *The New York Times,* 5 January 1973, 63.

203. James N. Harvey, "In Defense of Children's TV," *The New York Times*, 14 January 1973, 15.

204. "CBS and Agencies Oppose Ban on Ads," *The New York Times*, 9 January 1973, 77.

205. "CBS and Agencies Oppose Ban on Ads," *The New York Times*, 9 January 1973, 77.

206. Jean M. White, "Children and TV Commercials," *The Washington Post*, 9 January 1973, B1. Banks conceded that the Roper study respondents were not asked if they favored commercial free programs.

207. Jean M. White, "Children and TV Commercials," *The Washington Post*, 9 January 1973, B8.

208. Here, Goldey is referring to the Prime Time Access Rule, where the FCC forbade the top 50 affiliates to air network programs at 7 p.m. to 8 p.m. PTAR was intended to create a window of time for independent producers and syndicators to have their program shown during the first hour of prime time television. PTAR was repealed in the mid-1980s.

209. Hollie I. West, "NAB on Ads," *Washington Post*, 9 June 1973, B1.

210. Hollie I. West, "NAB on Ads," *Washington Post*, 9 June 1973, B1. At that time, the NAB made guidelines for all aspects of broadcasting such as rules for political advertising, news standards, and indecent content.

211. "ACT's Bent Antenna Awards," *The New York Times*, 22 July 1973,1.
These awards were given to those who were the least responsive to children's television needs. The group also awarded a year of dental bills to manufacturers of candy and snacks advertised to children on TV.

212. Phillip Dogherty, "Advertising: Research Groups," *The New York Times*, 22 May 1974, 65.

213. Statement by Stockton Helffrich, Director of the Code Authority. Oral argument before the Federal Communications Commission. January 8, 1973.

214. Statement by Stockton Helffrich, Director of the Code Authority. Oral argument before the Federal Communications Commission. January 8, 1973.

215. Herbert Kupferberg, "Your Kids Needs," *Parade*, 30 January 1972, 20.

216. This statement is often referred to as the Children's Television Report and Policy Statement. 50 FCC 2d 1, 1974.

217. Children's Television Report and Policy Statement, 50 FCC 2d 1, 1974.

218. Children's Television Report and Policy Statement, 50 FCC 2d 7, 1974.

219. Children's Television Report and Policy Statement, 50 FCC 2d 7, 1974.

220. Children's Television Report and Policy Statement, 50 FCC 2d 6, 1974.

221. Children's Television Report and Policy Statement, 50 FCC 2d 5, 1974.

222. Children's Television Report and Policy Statement, 50 FCC 2d 14, 1974.

223. Children's Television Report and Policy Statement. 50 FCC 2d 9, 1974.

224. Children's Television Report and Policy Statement. 50 FCC 2d 11, 1974.

225. Children's Television Report and Policy Statement. 50 FCC 2d 3, 1974.

226. Children's Television Report and Policy Statement. 50 FCC 2d 9, 1974.

227. Children's Television Report and Policy Statement. 50 FCC 2d 13, 1974.

228. David Burnham, "FCC Approves Policy on Children's TV," *The New York Times* October 25, 1974, 1.

229. Children's Television Report and Policy Statement, 50 FCC 2d 1, 1974.

230. Tom Shales, "FCC: No new rules for children's TV," *Washington Post*, 25 October 1976, B1.

231. Peggy Charren, interview by author, 19 October 1998.

232. Peggy Charren, interview by author, 19 October 1998.

233. "FCC's new guidelines on children's TV called parents' weapon," *Broadcasting,* 17. February 1975, 35.

234. *The Dictionary of Cultural Literacy* (1988), s.v. "Sword of Damocles." The Sword of Damocles is defined figuratively as an impending danger that causes anxiety.

CHAPTER 4
REGULATORY ACTIVITIES

In 1974, ACT's president, Peggy Charren, said she "wouldn't make any guesses on progress in children's television. If we've achieved a true consciousness-raising, maybe things will get better and not worse."[1] However, after the FCC's 1974 Children's Television Programming Statement, that task of improving children's television became more difficult. Not only did the organization's work with the FCC become stifled, but ACT faced varied levels of acceptance by other federal regulators, such as the Federal Trade Commission and the Consumer Products Safety Commission.

Three years earlier, the women of ACT asked the FCC to mandate that broadcasters increase educational content to children, provide 14 hours of commercial-free educational content for children per week, and eliminate host-selling from children's programs. However, when the FCC issued its Policy Statement regarding ACT's request, it did not contain either of ACT's requests.[2] Instead, the FCC left it to broadcasters to determine how much and what type of programming they would use to "inform and entertain" children in their audience. The FCC reasoned that broadcasters were striving to aid the children in their audience by adding educational programming and reducing the advertising found on these programs.[3] Self-regulation was appealing to broadcasters, but not to ACT. As a result, the organization approached the FCC several times between 1974 and 1979, asking the agency to reconsider its 1974 Policy Statement.[4]

Another component of the 1974 Policy Statement was the FCC's issuance of a rule prohibiting the practice of host-selling on children's television. This stipulation, stating that hosts of children's programs could not sell products during the program, was the only specification the FCC made for children's advertisements. The FCC's statement guided ACT's remaining requests regarding advertising to the Federal Trade Commission.[5] The FTC controlled these aspects because "the broadcast of any material or the use of any practice found to be false or misleading by the Federal Trade Commission will raise serious questions as to whether a station is operating in the public interest."[6]

This chapter will address the major interactions ACT had with the FCC, FTC, and Consumer Product Safety Commission between 1974 and 1979. Among the interactions are ACT's continual requests to the FCC for a children's television programming rule and ACT's desire to have the FTC regulate the advertisements directed at children. Specifically, ACT was concerned with the placement of premiums or giveaways in children's products, children's vitamin advertisements, and sugared-food advertising airing during children's programs.

When ACT began, the women approached broadcasters, asking them to reduce advertisements and add educational content during children's programming. Broadcasters were not receptive to ACT's initial requests. ACT's founders realized that the only way to get broadcasters to do something they (the broadcasters) did not want to do was to make it a government mandate. Although when ACT was founded in 1968, the four founding mothers were not legal scholars, under the leadership of Lillian Ambrosino and her Washington connections, the group taught themselves about broadcast regulation

using Congressional acts and federal documents.[7] Ambrosino "knew that we had to go to the FCC if there was going to be a radical change. She pretty much directed us (ACT) along that route."[8] Additionally, the women had the help of one of Ambrosino's friends, activist Robert Banzaff, who taught them how to write proposals for the government. Banzaff was the head of the anti-tobacco organization Action for Smoking and Health (ASH), which had asked the FCC and FTC to curtail tobacco advertisements.[9] With his guidance, ACT was able to create an active file, Docket 19142, at the FCC. In the docket, all proceedings pertaining to ACT's initial request in 1971 would be filed under this case. The docket would remain open until the FCC deemed the matter completed.

ACT's 1971 proposal asked that broadcasters add 14 hours of educational content, eliminate or decrease advertising, and eliminate host-selling on children's programs.[10] When the FCC sought comments from concerned parties such as broadcasters, parents, and educators, most of the letters favored some regulation regarding children's television. One mother from Boston submitted, " I have become so disgusted with the amount and quality of commercials on children's programs that I refuse to buy products made by the sponsoring manufacturers. This seems to be the only way I can fight large companies bent on turning my children into morons."[11] A California educator said the regulations were necessary because she came "in daily contact with children who cannot read a story, but can recite the plot of any number of television shows."[12]

The resulting FCC Policy Statement did advise against host-selling, but it did little else. The statement declared that broadcasters were already providing educational content and were already reducing advertising time. Instead of making a rule, the FCC

"believe(d) that in these areas (programming and advertising) every opportunity should be accorded to the broadcast industry to reform itself because self-regulation preserves the flexibility and opportunity for adjustment which is not possible with per se rules."[13] The commission warned that it would, in the future, reassess what the broadcasters were airing to determine if a more explicit rule was necessary. The Policy Statement stated,

> (I)n view of the fact that we (the FCC) plan to evaluate the improvements in children's programming and advertising, which are now expected, the proceedings in Docket No. 19142 will not be terminated at this time.[14]

These words alerted broadcasters that they had a chance to self-regulate, but the FCC would assess their commitment to children's programs at a later date.

Broadcasters reactions to the imposed self-regulations were varied. Some broadcasters explained that they had taken their charge seriously and aired programming that would benefit children since the FCC began its inquiry into children's television practices in 1971. Testifying before a Congressional subcommittee dealing with broadcasting and advertising, President of the CBS broadcast group John Schneider said,

> At CBS we promised the American people several years ago that we would concentrate major efforts in this area (children's programming). And we have kept our promise. We have done what we said we would do. Our record demonstrates clearly that we are part of a responsible industry, an industry that is fully capable of self-regulation and willing to make substantial commitments n terms of talent and money in the best interest of the viewing public. . . .We made a conscious effort to combine entertainment with education. The first such series was "Fat Albert and the Cosby Kids," with situations drawn from comedian Bill Cosby's own childhood. The story lines were, and still are, developed with the guidance of a board of distinguished scholars and educators. Real problems for children are involved—lying, playing hooky, cheating, frustrations, anger, and tattling. . . . For the up coming year, CBS will produce about 10 new "What's It All About" specials for the Saturday schedule. In the past year, these informative programs for young people have focused on such areas of interest as elections, the Supreme Court, the Congress and the Senate. Just last Saturday, we carried, "What's Apollo/Soyuz All About?", with Walter Cronkite giving young viewers a preview of the major activities of the joint U.S.-U.S.S.R space flight.[15]

Other broadcasters admitted that self-regulation was not a strong incentive for them to change their programming on a permanent basis, but increased governmental influence was not the answer either. President and Chairman of the Board of the Westinghouse Broadcasting Company testified, [16]

> While I am sorry to report that self-regulation has not been truly effective to date, I do not favor additional Federal regulation. I say this not only because of the inherent constitutional problems, but also because in the long run I believe it would be counterproductive. . . . In my opinion, bigger Government and more regulation is not the answer. Rather, the role of the Federal Government in this area should be primarily that of a catalyst—providing leadership and reflecting public concern, need, and direction. In short, making sure that broadcasters understand their responsibilities to the public and fulfill them.[17]

Charren frequently expressed her disappointment with the 1974 Policy Statement. She acknowledged that what the statement "did do was extraordinary in the history of broadcasting in America. It said broadcasters had to serve children with a diversity of programming" that was both educational and entertaining.[18] Still, ACT had hoped for a stronger rule from the commission. The organization collectively "screamed loud and long about how the FCC did not do enough and hadn't done its job."[19]

ACT assessed the statement as being "inadequate" and "unrealistic," arguing that children could not rely on the broadcasters' "sense of commitment" to voluntarily serve children's educational needs because the broadcast industry was reluctant to air programming that would diminish its audience and any subsequent advertising.[20] Charren, a longtime opponent of self-regulatory practices said, "(v)oluntary action will happen only while the industry is under fire,"[21] and progress would only "be made when regulatory agencies (the FCC) start to regulate."[22] A year after the 1974 statement Charren asserted, "Self-regulation has failed to bring about reform in broadcasting practices."

Charren's doubt of the effectiveness of self-regulation led ACT to continually ask the FCC to re-examine the lax nature of the 1974 statement. On November 22, 1974, ACT sent a petition of reconsideration to the FCC. The petition, written by ACT attorneys and former FCC attorney, Henry Geller and Karen Possner, asked the FCC to re-evaluate the merits of the 1974 Policy Statement. ACT asked the FCC to consider the creation of more explicit rules for broadcasters to follow as they tried to satisfactorily serve their child audience. The Geller-Possner petition consisted of three policy recommendations:

> Renewal Policy Standards: specific percentages and amounts of time which the licensee must dedicate to children's programming must be set forth in a rule to assure the licensee that he has made "reasonable efforts" and devoted "reasonable amounts" of time to such programming to ensure renewal. Specifically, the Commission should adopt a rule requiring 112 hours per week of programming designed for children twelve years old and under of which 20% must be devoted to educational/instructional programs.
>
> Advertising Ban: Advertising in programs designed for pre-schoolers should be prohibited.
>
> Programs Production: Official FCC encouragement should be given to co-operative efforts by the three major networks to produce high quality children's programs on a rotating basis. [23]

In response to ACT's reconsideration request, the FCC explained that its intent was to balance the free speech interest of broadcasters with children's needs when making its 1974 Policy Statement. The agency opined "that the adoption of the Report (1974 Policy Statement) reflects a sound exercise of its discretion. In adopting the Report, we (the FCC) have been sensitive to constitutional and statutory commands to exercise caution whenever government intrudes into the First Amendment speech area, as well as to the problem of adopting definable, workable standards for broadcast licensees."[24] Further, the FCC stated that rather than mandating the exact amount and

type of programs broadcasters should provide, "we would prefer at this time to encourage program development by broadcasters."[25]

On the whole, broadcasters were not "encouraged" to develop new programs, as the FCC had wanted. Instead, broadcasters cited economic hardships as their reason for not voluntarily airing children's programs. The networks complained that children's broadcasting was causing a decrease in their profits because advertisers were not drawn to educational programs. CBS Broadcast Group President John A. Schneider said his network's profits for weekend children's programs on the networks had decreased by 69 percent between 1972 and 1975. Both the NBC and ABC networks agreed with CBS's evaluation of children's programming.[26] According to media critic John O'Connor, the networks' quality programs such as ABC's *Afterschool Specials* and NBC's *Festival of Lively Arts*, were not "as profitable as the kind of junk that chokes the Saturday morning schedule. Quality is usually more costly, demands more time and effort."[27]

Schneider seemingly blamed ACT for his network's loss of profits. Schneider explained that "they (advertisers) do not wish to take the heat from various groups that oppose some, or all, advertising when children are watching."[28] Charren bristled at the assessment, later pointing out that, "for them to say, 'oh, you're going to bankrupt us' is not to be believed. If that (children's programming) is going to bankrupt you, you should be in the shoe business (not show business)."[29] Despite Schneider's claims that children's shows were losing money, the network's overall profits were growing. CBS's profits were up from $88.2 million in 1973 to $110 million in 1974.[30]

After the 1974 Policy Statement, the broadcast networks reverted to their programming practices prior to ACT's 1971 proposal. The networks reduced their age-

specific educational programming in favor of shows that appealed to a wider audience. They also increased commercial time during these programs. While the networks cited economic reasons for reducing children's educational television content and increasing advertisements, some local broadcasters were using their airwaves to benefit children in their own backyards. WLBT-TV, a station in Jackson, Mississippi, developed a daily half-hour program for preschoolers.[31] A Waterloo, Iowa, television station aired a daily afterschool show that helped school-aged viewers with their homework.[32] A Tampa, Florida, station offered a monthly program by and for children between the ages of 8 and 13. A station in Jacksonville, Florida, added "cultural and informational elements" in an existing children's program.[33]

ACT applauded these local efforts. As ACT's president, Charren led the charge to change what was on children's television through regulation and now "some interesting things (were) happening. Local stations with small production budgets are doing better shows than the networks are on Saturday mornings."[34] The local shows also got the attention of *Captain Kangaroo's* Bob Keeshan. Keeshan called other local broadcasters to "give up their competitive ways where worthwhile children's shows were concerned."[35]

The commitment local stations made to these programs was a significant practice for these stations. The FCC's 1974 Policy Statement did not call for specific educational programming aired at specific times, and, as such, local stations did not have a legal requirement to add these programs to renew their licenses. Without each station having the same legal obligation, a broadcaster airing a children's show could run the risk of being "demolished by a rival station's . . .exploitative (non-educational) program airing

at the same time overwhelm(ing) it in the ratings."[36] The local programs also were considered risky because "most national advertisers avoid local productions." The exception to this rule was "General Foods, which ha(d) made good on a commitment to buy commercial spots in well-executed local programs for children."[37]

During the time that some local broadcasters were increasing their children's television fare, ACT conducted its own research on local stations. ACT's research found that local stations rarely offered educational programs. Other local broadcast affiliates and independent stations were not as committed to children's fare. Conducting a study of five Boston television stations in the spring of 1975, Boston University professor F. Earle Barcus found that

> children's programs carried commercial announcements an average of once every 2.9 minutes, compared to once every 2.8 minutes in a similar study conducted in 1971. However, commercial time had decreased in the four-year period from 11.3 minutes an hour to 9.5 minutes an hour. The reduction in commercial time, did not result in proportionately fewer commercials because advertisers now deliver(ed) their messages in shorter advertising units—such as 30-second and 20-second spots, instead of the one-minute units—and some advertise more than one product in each spot.[38]

The Barcus study also found that eight out of ten stories on weekend children's television contained some violence or threats of violence. The most "popular form of violence was violence with weapons, and the most frequent subject matter of the stories was interpersonal rivalries and conflicts, with little rationales to them."[39]

In 1976, Barcus conducted a study of pre-Christmas advertisements on a New York City independent television station. The study found that toy commercials accounted for 84 percent of all advertising in afterschool hours. The same study reported that 47.5 percent of all network children's ads were toy commercials. Charren said the deluge of advertisements was "misleading and unfair to young viewers."

Barcus's findings only reinforced Charren's assessment of broadcasters' antipathy to quality children's programming. Charren said these studies illustrated the broadcasters' lack of commitment to self-regulation. Charren argued, "(T)hese studies prove that broadcasters have not yet made a commitment to the health and well-being of children. Self-regulation isn't working and that's why we got to the regulatory agencies for rules."[40] These findings became a part of ACT's justification to call for "the broadcast and advertising industries to desist from practices that manipulate and confuse members of the child audience."[41]

On September 14, 1976, ACT, represented by attorneys Earle Moore and Henry Geller, asked the Court of Appeals for the District of Columbia to mandate that the FCC re-evaluate its 1974 statement. The action was filed to "reflect ACT's belief that federal regulation (was) necessary to ensure that television for children was free from over-commercialization and was diverse in the programming choices available to viewers to different ages."[42]

The Court of Appeals agreed with ACT's filing. It opined that the FCC should do as it stated and begin another inquiry into children's television. The court said it "recognized that a serious problem exists in this area (children's television), the agency has a continuing responsibility to do something further about it should subsequent experience (research findings) demonstrate that more needs to be done."[43]

The FCC reacted by initiating its second inquiry into children's television programs and advertising practices and establishing a Children's Television Task Force. The second inquiry was established to gather information from concerned parties about children's television. "The Task Force staff was asked to evaluate the effectiveness of

broadcast industry self-regulation in improving children's programming and advertising practices, and, in addition, to investigate the overall effect of new technologies and alternative sources of programming on the availability of children's programming."[44]

ACT had been asking for the second inquiry into children's television and the call for the Children's Television Task Force since 1974. ACT called the reopening of Docket 19142 necessary and timely, as the commission had not assessed children's television since 1974. In a proposal to the FCC, ACT reasoned that

> four years is not a negligible time in the life of a child. It is a substantial amount of time. Time, for children, is precious and full of experience. Since so much of children's time is spent watching and learning from television, and since the few short years of childhood set the pattern of development as adults, it is all the more important that abuses in children's television be corrected as soon as they are brought to light.[45]

On October 30, 1979, the Task Force delivered its report, including research findings, conclusions, and policy recommendations to the FCC. "The Task Force found that broadcasters had not complied with the programming guidelines of the Policy Statement but had, in general, complied with the advertising guidelines."[46] Further, the Task Force concluded that

> industry self-regulation during the last five years had not been effective in fully achieving the changes in amount, scheduling, and age specificity of commercial television's children's programming the FCC stated it expected broadcasters to follow from the 1974 Policy Statement. . . . Under the existing market structure, the economic incentives facing commercial television broadcasters make it unlikely that they will voluntarily meet the policy guidelines without quantifying the Commission's expectations.[47]

The Task Force reported that the time devoted to children's entertainment and non-entertainment programs, on a per-station basis increased less than an hour in the past five years. In 1973-74, the programs averaged 10.5 hours per week, and in 1977-1978, the average was 11.3 hours per week. Independent stations accounted for this change,

while the programming from network affiliates did not change in that five-year span. The number of educational programs on a per-station basis remained virtually the same for the years between the first and second inquiries. In the 1973-74 broadcast season, network affiliates aired 2.77 hours of children's programs, while in 1977-78 networks aired 2.76 hours of education programs. Independent stations ran 1.42 hours in 1973-74 and 1.14 hours five years later.[48]

To conduct these analyses, the Task Force had to consider programs that aired during the latter half of the 1970s. Educational programming such as ABC's academic musical vignettes *Schoolhouse Rock* and the morally rich *Fat Albert and The Cosby Kids*, were in the minority. The majority of the children's programs airing during these times were neither educational nor informational. Popular at the time were "adventurous teen-age gang cartoons like *Josie and the Pussy Cats*, *Pebbles and Bamm Bamm,* and *Speed Buggy*."[49]

These three programs were illustrative of the formulaic makeup of Saturday morning television in the 1970s. All three of the programs featured "wacky" teenagers who found themselves in "zany misadventures."[50] Further, both *Josie and the Pussy Cats* and *Pebbles* (Flintsone) *and Bamm Bamm* (Rubble) were teens in rock bands who, in between playing concert dates, solved mysteries or wrangled themselves out of chaos in the course of a half-hour animated program. The three teens in *Speed Buggy* traded their guitar and drum sets for a stuttering remote-controlled car.[51]

The Task Force's report concluded with suggestions or options for the FCC to consider when establishing policy for children's television.

> Option 1. Rescind the Policy Statement and rely on other program sources for children's programming. We may choose to rescind the Policy Statement and

> find that commercial television broadcasters no longer have any specific obligation to serve the child audience. Instead we would rely on other program sources such as public broadcasting, federally-funded children's programs, cable television, or any combination of other program sources to meet the demand for more age-specific educational programming for children.
>
> Option 2. Maintain or Modify the Policy Statement. The staff report has concluded the five years of experience with broadcaster self-regulation under the Policy Statement indicates that very few changes in children's programming practices have occurred. In view of our concerns about the constitutional limits to our authority we could still conclude that a reaffirmed FCC Policy Statement remains the only viable policy option.
>
> If we choose to maintain our Policy Statement, we might, in addition, modify the television license renewal form in order to obtain more comprehensive and precise information about licensee programming practices for children.
>
> Option 3. Mandatory Programming Rules. The staff has recommended that the Commission consider adopting an interim rule concerning the amount of scheduling and type of programming for children. The rule suggested by the Task Force would require that all commercial television broadcasters provide 5 hours per week of educational programming for preschool children (ages two to five) and 2 ½ hours per week of educational programming for school age children (ages six to twelve).
>
> Option 4. Children's Programming License Renewal Processing Guidelines. The Commission could also achieve the objectives outlined in the staff report through the adoption of a processing guideline.
>
> Option 5. Increasing the Number of Video Outlets. Our staff's report concluded that in the long run increases in the number of advertiser-supported video outlets per market and more television programming paid for by viewers would provide the most promising means of increasing the amount and diversity of programming serving children.[52]

The commission proposed to adopt one of the options suggested or some other option that might be submitted in response to the Task Force's report.[53]

The FCC stated, "The Task Force report provided the primary source of evidence concerning broadcasters' compliance with the Policy Statement. We solicit public comment on the accuracy and adequacy of the information and analysis provided in the

report."[54] As a result, concerned parties, such as broadcasters, educators, ACT, and other activist groups were invited to make comments regarding this inquiry.

Broadcasters, educators, and ACT conducted and presented their own studies for the second inquiry. The networks and ACT delivered comments that disagreed with the Task Force's findings.[55] ABC called the report "unnecessary" and a "grave threat to First Amendment guarantees,"[56] while CBS said the report provided "no justification for the adoption of mandatory rules" for the broadcasters to follow.[57]

Studies conducted by NBC that showed the network had increased its commitment to children's programming were "diminished by a series of methodological inadequacies and errors in judgment." In the network's findings, NBC demonstrated in a February 1979 response to the Task Force's inquiry that in the 1973 – 1975 television seasons it aired more than 425 hours of children's programming, while in the 1975 through 1978 season it increased that number to 482.67 hours.[58] This study included programs that were produced for family viewing and not programs specifically produced for children.

ACT presented a study to the Task Force that contradicted the network's findings. ACT commissioned a study of Boston-area broadcasters, which found that " 45% of the stations reported no regularly scheduled children's program between 6 a.m. and 2 p.m. and approximately 70% of the network-affiliated stations reported no regularly scheduled children's program between 2 p.m. and 6 p.m."[59] Although the commission amassed more than 8,000 comments regarding the Task Force Report—most favoring children's television regulation—the commission chose to abandon the inquiry after Reagan's election in November 1980 and a new FCC chairman was appointed in 1981. The Task Force's report would not be considered again until 1984.[60]

Aside from ACT's continual pursuit of a television program rule from the FCC, the activist group also approached the Federal Trade Commission to challenge some advertising claims. One of these activities was eliminating premiums from children's products. Premiums were placed in advertisements to "induce children to buy cereals or other products by offering toys or prizes as come-ons."[61] ACT favored the ban because

> A young child is unlikely to decide that he should eat a particular breakfast cereal because it is more nutritious than another brand. On the other hand, it is reasonable to assume that the same child will ask his parents to buy one cereal over its competitor because the former product offers a prize that appears particularly desirable.[62]

The FTC proposed a set of guidelines prohibiting premium offers, contests or sweepstakes in television advertising directed toward children. The proposal would have barred ads that sold products "on the grounds that their boxes contain toys or games . . . 'Amazing offers' like Little Orphan Annie Rings and Captain Midnight decoder whistles" would be things of the past.[63] Charren responded favorably to the FTC proposal saying, "obviously, we're (ACT) delighted, but we're definitely not out of business."[64]

Ultimately, ACT's efforts did not culminate in a rule regarding premiums. In 1977, the FTC dropped the proposed ban on the premiums three years after the proposal began. The FTC discontinued the inquiry into the proposal because it "concluded there was insufficient evidence that the ads were inherently or invariably unfair or deceptive." The FTC did say it would continue to monitor the fairness of premium-based ads on a case-by-case basis.[65]

Another of ACT's regulatory interests was eliminating advertisements of Spiderman Vitamins from children's programs. ACT complained because Spiderman (Spidey) also was a "viewer favorite" on the acclaimed public television program, *The*

Electric Company.[66] ACT was concerned with the spots because using such a popular and trusted figure to persuade children constituted an unfair practice. Additionally, children would be led to believe that the vitamin could produce the same "superhuman strength and abilities that the endorsed product does not have."[67] Frequent advertising of the vitamins starring the popular character caused children to over-ingest the products, resulting in poisoning.[68]

In ACT's formal complaint and petition to the FTC for a Trade Regulation Rule prohibiting all vitamins from being advertised to children, Charren wrote,

> Children's chewable vitamins and Spiderman Vitamins, in particular, are promoted to appear candy-like in form and employ cartoon characters as part of the selling technique, which creates a completely distorted notion of the medicinal contents of the bottle. . . .Because of the potential danger to young children from the unrestricted promotion of Spiderman Vitamins on television, ACT has asked the FTC to take immediate action to discontinue these misleading commercials, both now and in the future. [69]

The October 24, 1976, complaint also included evidence from the National Clearinghouse for Poison Control Centers, "stating that vitamin ingestion poison cases have shown an increased trend over the past four years."[70]

In September 1975, the FTC issued a formal consent order against Hudson Pharmaceutical Corporation, the parent company of the Spiderman Vitamins, stating that the ads constituted deceptive advertising to children. The "key parts of the decree are agreements that the company will no longer sell its vitamins with any advertisement whose dominant appeal is a child audience. Hudson agreed to cease from using television advertisements between 6 a.m. and 9:05 p.m."[71] Hudson also would stop airing the Spiderman Vitamins advertisements on television and also in comic books. Additionally, Hudson vowed that it would stop "running in comic books or on daytime

television advertisements that appeal to children or use hero figures as inducements to buy its product."[72]

ACT's interest in the physical well-being of children not only concentrated on what children were eating, but focused on the children's toys as well This concern was illustrated in ACT's support of a ban on toys with projectiles or missiles. On December 31, 1978, four-year-old Robert Jeffrey Warren of Gwinnet County, Georgia, fired a missile from the *Battlestar Galactica* toy into his mouth. [73] One of the red 1 ¼ inch-long spaceships got lodged in his throat and he choked to death.[74] Although Mattel, the maker of the *Battlestar Galactica* toy line, had affixed caution stickers to the toys, warning, "do not put or fire red missiles into mouth or towards face," the company asked that the toy be taken off store shelves in January 1979. [75] Seemingly, stores obliged and Mattel offered children and parents Hot Wheel Cars in exchange for the recalled *Battlestar Galactica* toy. However, Charren announced at a February 26, 1979, press conference that "those toys (the *Battlestar)* could be purchased in Boston as recently as the last Friday (a few days prior to the press conference)."[76]

At the same press conference, ACT asked the U.S. Consumer Product Safety Commission to regulate the safety and design of toys that shoot small missiles. Charren announced that the regulation was important because "hospital emergency rooms treated more than 1,000 children during 1978 for injuries caused by projectile toys."[77] Among the products named in ACT's petition were Mattel's *Battlestar Galactica* and Shogun Warrior toy lines and Mego's Micronauts, which were designed to shoot projectiles such as darts and BB's.[78] ACT's petition requested that the regulations govern

1. the design of the missiles and the spring action which propels them;
2. the labeling of the toys as being suitable only for children eight and over;

3. package disclosures that would explain the projectile contents of the toy; and
4. improved safety instructions with the toys.[79]

The Consumer Product Safety Commission (CPSC), citing recent cutbacks in the agency's budget, decided not to regulate the toys. Instead, the agency would "work with the toy industry to help it develop voluntary standards covering such products."[80] CPSC spokesman Ann Brown said her agency was "moving to make such toys (projectiles, darts, slingshots) safer, but that products on the market this year fell into a crack because they had not been made in accordance with the new standards."[81]

While ACT concentrated on vitamin and food safety, most of its non-FCC-related regulatory activities concerned the FTC's regulation of food advertisements. Charren explained that ACT was interested because "kids (were) harangued up to 24 times an hour to eat sweets" such as cupcakes, soda, candy bars, and chocolate milk flavorings.[82] In particular, ACT was concerned about the $600 million spent on advertisements for products such as breakfast food products, including Pop Tarts and presweetened cereals such as Super Sugar Crisps, Sugar Frosted Flakes,[83] HoneyCombs, Sugar Smacks, Cocoa Crisps, and (Sugar) Pops.[84] Ads for fast-food restaurants such as Dairy Queen, Burger King, and McDonalds, as well as snacks such as chewing gum, candy bars, and Nutterbutter cookies, also were aired during children's programs.[85]

In early 1977, ACT and another advocacy group, the Center for Science in the Public Interest (CSPI), both filed petitions with the FTC, requesting a regulation of television advertising for candy and sugared-food products directed to children. The next year, two more advocacy groups, Consumers Union of the United States (CU) and Committee on Children's Television (CCT), filed a petition seeking regulation of all television advertising oriented to young children.[86]

Charren said it was imperative that the FTC address these petitions because "any simple rule could alter the distorted dietary habits taught by commercials during a childhood of television viewing." [87] As a result, any regulation could only benefit the nutritional habits of children. Charren restated the importance of the regulation since "the requests for rulemaking raised important issues affecting the health and safety of millions of children who are exposed to thousands of advertising messages annually. The petitions of a reasonable consumer group demand at least a substantive response."[88]

Another supporter of the inquiry was the cereal manufacturer Quaker Oats Company. Quaker Oats' President Kenneth Mason said he "didn't think an agency review of the nature and effects of advertising and sugared products aimed at children would support the negative conclusion some want the FTC to draw about cereal advertising." Instead, the inquiry would simply answer questions about the "effect commercial television has on the intellectual and emotional health of children."[89]

Some members of the FTC were eager to implement the rulemaking inquiry into a regulation on food advertisements, including the chair, Michael Pertshuk, and commissioner Elizabeth Hansford Dole. Pertshuk hoped that the inquiry might help children. He asserted,

> (W)e (the FTC) are not dealing with a single commercial or set of commercials that are allegedly deceptive or misleading, but rather with children's advertising as a whole. . . .The perceived harm results not from a single message or campaign but from the cumulative impact of many separate campaigns, the effect of which has been to shape the environment of the child in a manner which may well be unintended but which raises certain clear and disturbing danger signals.[90]

Dole commented,

> It appears that demand for products is being created by time-tested techniques, which touch a responsive chord in youngsters. The effectiveness of techniques in children's advertising, such as the use of super-heroes, magical promises, jingles,

> peer group acceptance, and fantasy cartoon characters is perhaps best reflected in the fact that advertising to children runs into the hundreds of millions of dollars each year.[91]

On February 28, 1977, the FTC initiated the inquiry into television advertising during children's programs.

The FTC staff, responding to the advocacy group's petitions, conducted an investigation into children's television advertising. The FTC considered A.C. Nielsen Company statistics from 1977 showing that the average two- to five-year-old American child watched about 25.5 hours of television each week. Based on these statistics, it could be estimated that these children viewed at least 20,000 commercials a year—a majority of those for sugared foods, fast-food restaurants, and toys.[92] Further, the FTC cited its own September 24, 1977, study of advertising on Saturday morning programs. The study revealed that nearly 75 percent of all foods promoted were for candy, presweetened cereals, snacks, and drinks. Commercials for foods such as fish, cheese, vegetables, and milk were nonexistent in these commercial breaks. [93]

The FTC study paralleled the belief held by nutritionist Dr. Jean Mayer that "the nutritional value of a food carries inversely with the amount spent to advertise it." To account for this phenomenon, the FTC suggested,

> Sugar advertising to children is so intensive because it encounters little or no resistance. . . . The economics of selling food directly to children being what it is, General Mills (manufacturer of sugar-laden Cocoa Puffs, Count Chocula, Frankenberry, and Lucky Charms cereals) and its competitors are obliged to broadcast a great volume of child-directed television advertising whose effect is to undermine the ability of parents to 'teach a preference for other foods', lest those companies lose their market shares to other companies less willing to be "out-sugared."[94]

The FTC described this competition as a "sugar derby," where children are taught that "eating sugared products is the normal, pervasively accepted thing to do, either at breakfast or between meals."[95]

The investigation concluded there was enough evidence to suggest that

> (1) the televised advertising of any product directed to children too young to understand the selling purpose of, or otherwise comprehend or evaluate commercials and (2) the televised advertising of sugared products to children of all ages may be unfair and within the meaning of Section 5 of the FTC Act, thus requiring an appropriate remedy.[96]

After considering these conclusions, the FTC's staff recommended three alternatives for the commissioners to consider when deciding the future of children's television advertising:

1. Ban all televised advertising for any product, which is directed to, or seen by, audiences composed of a significant proportion of children who are too young to understand the selling purpose of or otherwise comprehend or evaluate the advertising;

2. Ban televised advertising for sugared food products directed to, or seen by, audiences composed of a significant proportion of older children, the consumption of which products poses the most serious dental health risks;

3. Require televised advertising for sugared food products, which is directed to, or seen by, audiences composed of a significant proportion of older children, to be balanced by nutritional and/or heath disclosures funded by advertisers.[97]

On April 1978, the FTC issued a Notice of Proposed Rulemaking (NPRM) seeking comments from concerned parties such as ACT, broadcasters, and advertisers regarding the aforementioned three recommendations. In addition, the NPRM also sought comments on four other issues:

Affirmative disclosures located in the body of advertisements for highly cariogenic products directed to children.[98]

1. Affirmative disclosures and nutritional information contained in separate advertisements, funded by advertisers for highly cariogenic products advertised to children.

2. Limitations upon particular advertising messages used and/or techniques used to advertise to very young children, or to advertise highly cariogenic products to all children.

3. Limitations upon the number and frequency of advertisements directed at very young children; limitations upon the number and frequency of advertisements directed at very young children; limitations upon the number and frequency of all advertisement of highly cariogenic products directed at all children.[99]

Additionally, the FTC asked for comments on 16 "general questions on issues of law and policy," including the harm caused by sugar consumption and the best way to convey information on food products to children.[100]

The FTC received briefs and responses from various groups with varying points of view. However, the advertising, sugar, and cereal industries were not supportive of any proposed ban. An ABC representative, Al Schneider, said the elimination of ads on children's television was "too outrageous a concept to discuss." He did note that broadcasters should reduce their financial reliance on ads for candy and sweetened breakfast foods.[101] Broadcasters lamented that ACT and Charren did not understand that broadcasting needed advertising to survive. Schneider said, "Charren is dead wrong about advertising and the economics of children's programming." The president of the American Association of Advertising Agencies went as far as saying, "Charren cares not a whit about broadcast economics."[102]

The food industries targeted by the inquiry filed letters to the FTC to clarify their use of advertising. Sugar and cereal companies' representatives hired lobbyists to convince House and Senate Appropriations Committee members to forbid the FTC from

using taxpayer dollars to conduct research on this children's advertising rulemaking.[103] The lobbyists had an ally in Connecticut's fiscally minded Republican Senator Lowell Weicker, who said, "I'm not going to have a bunch of idiots going around trying to discover the sugar content of cereal."[104] Weicker also lamented that "the procedure was a waste of the taxpayer's money. That was a terrible blow."[105]

ACT conducted its own research on commercials aired during children's television to counter opposition to the necessity for advertising rules. The report, prepared by F. Earle Barcus and Lucille McLaughlin of Boston University, was separated into two sections. The first was a content analysis of food advertising shown during 33 hours of children's programming broadcast on six Boston stations June 1978. The content analysis revealed that

1. Sugared cereals, candy bars, packaged candies, cakes and cookies accounted for more than one-half of all food product ads.

2. Although sugared foods are less likely to promote tooth decay if they are consumed as a dessert rather than between meals, candies and other sweets are never shown being consumed at mealtime, but are usually eaten as between-meal snacks.

3. Fruits, fruit juices, vegetables, meats, breads, and dairy products were rarely advertised during a sample viewing period and never comprised more than three percent of all food ads shown.[106]

The other half of the report, a quantitative nutritional analysis, found that "all but 10 percent of the food commercials directed toward children promote the use of sugary products."[107]

Other studies revealed that the need for advertising restrictions was more than a health issue. It was a preventive measure against begging. This assertion was illustrated in psychologists Dr. Joann Paley Galst's and Mary Alice White's study with 41 middle-

class preschoolers. The study of the 3-to-5 year-olds showed that the more TV a child watched, the more often he tried to influence his mother's purchases while in the grocery store. In the study, all 41 of the children were successful in influencing their parents 45 percent of the time.[108]

Health, education, labor, and public activist groups such as the American Academy of Pediatrics, the United Auto Workers, and the NAACP lent support to ACT's inquiry by participating in children's television research. This coalition of 46 groups asked "citizens to spend an hour watching children's programming during the next seven days and write the FTC about their opinions of the advertising they see."[109] The Rev. Loring Chase of the United Church of Christ said the FTC proceeding was a "heaven sent opportunity to influence what children eat and see."[110]

After the commission gathered briefs and responses from the interest parties, it held hearings to discuss three "disputed issues of material fact that were necessary to resolve." The three issues were:

1. To what extent can children between the ages of 2 and 11 defend against the persuasive techniques used in these commercials and children's programs to the point that they comprehend the selling purpose of television aimed at children?

2. To what extent can children between the ages of 2 and 11 defend against the persuasive techniques used in these commercials, such as fantasy or cartoon presenters, premiums, limited information, and various associated appeals?

3. What health effects, actual, or potential, attach to any proven lack of understanding of selling intent or inability to defend against persuasive techniques?[111]

The thousands of pages in response to these questions allowed the FTC staff to make several conclusions.[112] The FTC reported that, "children six years and under place

indiscriminate trust in televised advertising messages and do not understand the persuasive bias inherent in advertising. The techniques, focus, and themes used in child-oriented television advertising enhance the appeal of the advertising message and the advertised product to young children."[113] Yet, the staff asserted that these findings,

> established a legitimate cause of public concern. (The) staff also found that the only effective remedy suggested by the record for these problems would be a ban on all advertisements oriented toward young children. Staff stated that such a ban, as a practical matter, could not be implemented because its coverage would be both over-inclusive and under inclusive.[114]

The commissioners' rationale agreed with the reasons given by the FTC's staff to justify the termination proceedings.[115] Both bodies concluded that an all-out ban on advertising would have been an "impractical" measure and against the free speech rights of broadcasters and advertisers.[116]

Other aspects of the staff's report were found to be inclusive. For example, the staff report concluded that no method existed for determining which foods were harmful and should be regulated.[117] Another inconclusive issue was whether there was a "possible link between children's attitudes about nutrition and television advertising." [118] The staff's report was delivered to the FTC to assist in formulating a rule. The resultant statement declared that,

> (i)t would be committing substantial resources in money and personnel to a lengthy inquiry in an effort to resolve the complex factual and remedial issues posed by the rulemakings. We are unwilling to make this commitment at the expense of more pressing enforcement priorities. We conclude, therefore, that it is not in the public interest to continue the proceeding and we hereby give notice of its termination.[119]

With this statement, the FTC ended its rulemaking procedure for regulating food advertisements airing during children's programs.

The FTC's decision to terminate the proposal on regulating advertising during children's programs was met with varied responses. The senior vice president for the American Association of Advertising Agencies, a group that was opposed to the proceeding from its beginning, said, "This is another case where an awful lot of money has been spent of both sides, and we're just happy to see that it's finally over."[120] American Advertising Federation President Howard Bell, also cited the financial cost of the proceeding, saying it was an "unwarranted adventure," which "lasted so long and cost the industry and taxpayers so much." [121] The president of the National Association of Broadcasters, Vincent T. Wasilewski, also was pleased with the termination. He said, "(W)e (broadcasters) are delighted by the FTC's reasonable recommendation. It shows common sense was all that is needed."[122]

ACT stated its opposition to the FTC's decision, but asserted that its commitment to reducing commercial content on children's television was unwavering. ACT's legal assistant Nancy Dietz affirmed,

> ACT obviously disagrees (with the termination). . . . ACT thinks it is always in the public interest for the commission to find solutions to commercial messages that deceive children and injure their health. ACT will actively pursue our case-by-case campaign to halt unfair and deceptive ads and work to see that cable television will be a commercial free alternative for children.[123]

ACT's vigorous participation in regulatory proceedings was met with varied results during its first 15 years. After three years of the proceedings regarding children's television programming reform, the FCC suggested only modest modifications be made by broadcasters. All of ACT's subsequent attempts to get the FCC to reconsider its decision were met with denials. ACT also failed to persuade the Consumer Products Safety Commission and the Federal Trade Commission to make rules regarding

children's health and safety. ACT's desire to regulate projectile toys and advertisements containing premiums, vitamins, or sugared foods were all denied by these respective federal agencies.

While ACT was unsuccessful in seeking significant regulatory changes, it did gain prominence with parents, activist groups, and national organizations that supported children's well-being. As a result, ACT continued to grow as a dominant force in children's media despite frequent rebuffs by regulatory bodies. As ACT grew, Peggy Charren's leadership of the group also expanded, making her the de facto spokeswoman for children's media reform.

Notes

1. Robert Berkvist, "Can TV Keep Giving Kids the Business," *The New York Times*, B1.

2. Children's Television Report and Policy Statement, 50 FCC 2d 1 (1974).

3. Children's Television Report and Policy Statement, 50 FCC 2d 9 (1974).

4. Joan Barthel, "Boston Mothers against Kidvid," *The New York Times Magazine*, 5 January 1971, D7. According to Charren "(v)oluntary action will happen only while the industry is under fire;" *ACT v. FCC,* 564 F. 2d 458, 480 (1977); Second Notice of Inquiry into Children's Programming and Advertising Practices, 68 FCC 2d 1244 (1978),

5. Children's Television Report and Policy Statement, 50 FCC 2d 18 (1974).

6. Children's Television Report and Policy Statement, 50 FCC 2d 18 (1974).

7. In personal interviews with Evelyn Sarson and Judith Chalfen, the women said Ambrosino instructed them to rely on broadcasters' public interest explained in the Communications Act of 1934. Prior to Ambrosino, the women were unfamiliar with the Congressional Act that informed broadcasters of their responsibilities to their audience.

8. Evelyn Sarson, interview by author, 20 November 1999, tape recording.

9. Judith Chalfen, interview by author, 18 October 1999, tape recording.

10. Federal Communications Commission, Public Notice, Rulemaking 1569, 12 February 1970.

11. Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly*, Summer 1970, 40.

12. Isabelle Hall, "Push for Children's TV Gains Support," *Boston Globe*, 6 April 1970, 40.

13. Children's Television Report and Policy Statement, 50 F.C.C. 2d 1 (1974).

14. Children's Television Report and Policy Statement, 50 F.C.C. 2d 1 (1974).

15. Statement of John A. Schneider, President CBS/Broadcast Group, Broadcast Advertising and Children, Hearings before the Subcommittee on Communications of the Committee on Interstate and Foreign Commerce House of Representatives, 94-53, 15 July 1975.

16. The Westinghouse Broadcasting Company owned a group of stations called Group W. The company had stations in cities such as Boston and Pittsburgh.

17. Statement of Donald H McGannon, President and Chairman of the Board, Westinghouse Broadcasting Co., Inc. Broadcast Advertising and Children, Hearings before the Subcommittee on Communications of the Committee on Interstate and Foreign Commerce House of Representatives, 94-53, 14 July 1975.

18. Peggy Charren, interview by author, 19 October 1998, tape recording. The statement did instruct broadcasters to avoid host selling and other strategies that may confuse.

19. Peggy Charren, interview by author, 19 October 1998, tape recording.

20. "FCC sets its official policy on children's TV; decision to make rules draws ACT objection," *Broadcasting*, 28 October 1974, 78.

21. Joan Barthel, "Boston Mothers against Kidvid," *The New York Times Magazine*, 5 January 1971, D7.

22. Robert Berkvist, "How Long can TV Keep Giving Kids the Business?" *The New York Times*, 12 May 1974, B17.

23. Memorandum Opinion and Order, 55 FCC 2d 692, (1974).

24. Memorandum Opinion and Order, 55 FCC 2d 693, (1974).

25. Memorandum Opinion and Order, 55 FCC 2d 695, (1974).

26. Les Brown, "CBS Reports Sharp Dip in Saturday Morning Ads," *The New York Times*, 15 May 1975, 87.

27. John O'Connor, "When it comes to Network Programming for Children, Quality does Exist but is Rare and Costly," *The New York Times*, 9 November 1975, 73.

28. Les Brown, "CBS Reports Sharp Dip in Saturday Morning Ads," *The New York Times*, 15 May 1975, 87.

29. Peggy Charren, interview by author, 19 October 1998, tape recording..

30. *Television Digest* 18 August 1975.

31. These shows were aired in an effort to supplement the Mississippi educational system, where there was no mandatory school attendance or kindergarten classes.

32. Les Brown, "Children's Fare Taking a Giant Step on Local TV," *The New York Times,* 5 June 1975, D10.

33. Les Brown, "Children's Fare Taking a Giant Step on Local TV," *The New York Times,* 5 June 1975, D10.

34. Les Brown, "Children's Fare Taking a Giant Step on Local TV," *The New York Times,* 5 June 1975, D10.

35. Les Brown, "Children's Fare Taking a Giant Step on Local TV," *The New York Times,* 5 June 1975, D10.

36. Les Brown, "Children's Fare Taking a Giant Step on Local TV," *The New York Times,* 5 June 1975, D10.

37. Les Brown, "Children's Fare Taking a Giant Step on Local TV," *The New York Times,* 5 June 1975, D10.

38. Les Brown, "Survey of Children's TV Finds Ads Shorter but not Fewer," *The New York Times,* 16 December 1975, 79.

39. Les Brown, "Survey of Children's TV Finds Ads Shorter but not Fewer," *The New York Times,* 16 December 1975, 79.

40. Les Brown, "Survey of Children's TV Finds Ads Shorter but not Fewer," *The New York Times,* 16 December 1975, 79.

41. William D. Smith, "Advertising: TV Ads for Children Scored," *The New York Times*, 9 September 1976, A64.

42. Action for Children's Television, Annual Report, 1976. Moore was with the firm Moore, Berson, and Lifflander. Geller was the former General Counsel to the FCC.

43. *ACT v. FCC*, 564 F. 2d 458, 480 (1977).

44. 68 FCC 2d 1244 (1978). Second Notice of Inquiry into Children's Programming and Advertising Practices

45. In the Matter of Second Notice of Inquiry, Children's Programming and Advertising Practices. Reply Comments of Action for Children's Television, 12 March 1979.

46. In the Matter of Children's Television Programming and Advertising Practices. 75 F.C.C. 2d 138 (1979). Since the Task Force found that broadcasters were in compliance with advertising guidelines, the remainder of the report dealt with the programming standards.

47. 75 F.C.C. 2d 140 (1979).

48. 75 F.C.C. 2d 143 (1979).

49. "Trying to Like those Kids Shows," *The New York Times*, 25 January 1976.

50. Timothy Burke and Kevin Burke, *Saturday Morning Fever* (New York, NY: St. Martin's Griffin, 1999), 123, 220.

51. Russell Scott, Patrick Young, and Kerry Brown. 2000. 1970s Cartoons. Http://www.yesterdayland.com. Accessed September 1, 2001.

52. 75 F.C.C. 2d 147-150 (1979).

53. 75 F.C.C. 2d 146 (1979).

54. 75 F.C.C. 2d 143 (1979).

55. In the Matter of Children's Television Programming and Advertising Practices, 96 FCC 2d 634 (1984). Meanwhile, the commission had received 8,000 comments from those in favor of the 1974 policy statement instructing the broadcasters to serve the needs of children. Three of the 150 dissenting comments came from the broadcast networks. In the Matter of Children's Television Programming and Advertising Practices, 96 FCC 2d 634 (1984).

56. "ABC, as Expected, Joined NBC and CBS," *Washington Post*, 17 June 1980, B8.

57. "CBS Kidvid Comments," *Washington Post*, 12 June 1980, D12.

58. NBC's Response to Second Notice of Inquiry in the Matter of Children's Television Programming and Advertising Practices, 12 February 1979.

59. F. Earle Barcus. *Commercial Children's Television on Weekends and Weekday Afternoons* (Newtonville: ACT, 1978). F. Earle Barcus. Weekday, Daytime Commercial Television Programming for Children. September 1981. Many of the studies Barcus's are conducted for ACT are published in this book.

60. 1984 Report and Order, 96 F.C.C. 2d 634 (1984).

61. "FTC Drops Planned Ban on Come on Ads on TV," *The New York Times*, 13 March 1977, 26.

62. ACT reply comments in the Matter of Children's Television Programming and Advertising Practices, August 1975.

63. Michael T. Kaufman, "FTC Sets Guides on Ads for Children," *The New York Times*, 28 June 1974, B8

64. Michael T. Kaufman, "FTC Sets Guides on Ads for Children," *The New York Times*, 28 June 1974, B8.

65. "FTC Drops Planned Ban on Come on Ads on TV," *The New York Times*, 13 March 1 1977, 26.

66. Action for Children's Television Newsletter, Vol. 5, No. 1, Winter 1976. The assessment of "Spidey's" popularity was made by the marketing director of Hudson Pharmaceuticals .

67. David Burnham, "Vitamin Pill Ads on TV Curtailed," *The New York Times*, 3 September 1975, A13.

68. Nancy Hicks, "Hearings Opened on TV Drug Peril," *The New York Times,* 21 May 1976, A14. The FCC and FTC held joint hearings to investigate the potential dangers for children from advertising of over-the-counter drugs. The inconclusive findings of the hearing revealed that vitamins and laxatives, two heavily advertised products, resulted in a large amout of poisonings due to over ingestion.

69. Action for Children's Television Newsletter. Volume 5, Number 2. Winter 1976.

70. Action for Children's Television Newsletter. Volume 5, Number 2. Winter 1976.

71. David Burnham, "Vitamin Pill Ads on TV Curtailed," *The New York Times* 3 September 1975, A13.

72. David Burnham, "Vitamin Pill Ads on TV Curtailed," *The New York Times* 3 September 1975, A13.

73. Bob Beal, "Toy Recalled: But Calgarians Liked it," *The Calgary Herald*, 15 January 1979.

74. "Mattel Issues a Recall for Toy Space Missiles," *Atlanta Journal Constitution*, 11 January 1979.

75. Bob Beal, "Toy Recalled: But Calgarians Liked it," *The Calgary Herald*, 15 January 1979.

76. Ernest Holsendolph, "Safety Rules Urged for Missiles in Toys," *The New York Times,* 27 February 1979.

77. Action for Children's Television Newsletter. Vol. 8, No. 3., Spring 1979.

78. "Mattel Announces Toy Replacement Program," *News from the CSPC*, 11 January 1979, 001. Ernest Holsendolph, "Safety Rules Urged for Missiles in Toys," *The New York Times,* 27 February 1979.

79. Action for Children's Television Newsletter. Vol. 8, No. 3., Spring 1979.

80. Briefing on Projectile Toys, 46 FR 47349, 25 September 1981; "CSPC Role," *The Washington Post*, 2 October 1981, D10.

81. "Projectile Toys are Assailed," *The New York Times*, 9 December 1981, C13.

82. Les Brown, "Consumer Groups Seek Limits on TV Ads Aimed at Children," *The New York Times*, 25 January 1974.

83. Carole Shifrin, "A Toothy Quarrel over Sugar," *The Washington Post*, 2 December 1977, D10. The American Dental Association cited Kellogg's Co. for its ad campaign for their presweetened cereals—some containing as much as 50 percent sugar.

84. "A Harsh Critic of Kids' TV," *Business Week*, 29 May 1978, 52.

85. Robert Berkvist, "Can TV Keep Giving Kids the Business," *The New York Times.* 1974, B1.

86. Termination of Rulemaking Proceeding, 16 CFR 461, (1981). This information is found in the legislative history of the rulemaking.

87. Action for Children's Television Newsletter. Volume 5, Number 4. Summer 1976.

88. Action for Children's Television Newsletter. Volume 5, Number 3. Spring 1976.

89. Carole Shifrin, "A Toothy Quarrel over Sugar," *The Washington Post*, 2 December 1977, D7.

90. Re:ACT: Action for Children's Television Newsmagazine. Spring 1978. Volume 7, Number 3.

91. Re:ACT: Action for Children's Television Newsmagazine. Volume 7, Number 3. Spring 1978.

92. Termination of Rulemaking Procedure, 16 CFR 461 (1981). While the actual text of the report is not attached to statement, the history of the procedure states that the date that the FTC's staff submitted the report was February 1978.

93. Termination of Rulemaking Procedure, 16 CFR 461 (1981). While the actual text of the report is not attached to statement, the history of the procedure states that the date that the FTC's staff submitted the report was February 1978; Carole Shifrin, "Ban on TV ads for Children is Proposed," *Washington Post*, 25 February 1978, C8; Re:ACT: Action for Children's Television Newsmagazine. Spring 1978. Volume 7, Number 3.

94. Termination of Rulemaking Procedure, 16 CFR 461 (1981). While the actual text of the report is not attached to statement, the history of the procedure states that the date that the FTC's staff submitted the report was February 1978; Carole Shifrin, "Ban on TV ads for Children is Proposed," *Washington Post*, 25 February 1978, C8; Re:ACT: Action for Children's Television Newsmagazine. Spring 1978. Volume 7, Number 3.

95. Re:ACT: Action for Children's Television News Magazine. Spring 1978. Volume 7, Number 3.

96. Termination of Rulemaking Procedure, 16 CFR 461 (1981). This statement refers to Section Five of the Federal Trade Commission Act which states that "it is an unfair and deceptive. . .practice for advertisers of food products to
fail to disclose affirmatively certain information concerning the nutritive quality of advertised food products."

97. Termination of Rulemaking Procedure, 16 CFR 461 (1981). This information is found in the history of the procedure.

98. Cariogenic products are those that cause cavities. Scott Ward, "Compromise in Commercials for Children," *Harvard Business Review* November-December 1978, 128.

99. Termination of Rulemaking Proceeding. 16 CFR 461 (1981).

100. Termination of Rulemaking Proceeding. 16 CFR 461 (1981). The FTC's 16 general questions were:

1. Is there a specific age group of affected children who do not understand the selling intent of, or otherwise adequately comprehend television advertisements?
2. Is advertising directed to young children, unable to comprehend television advertising, unfair or deceptive and, if so, is it remediable?

3. How should the Commission define advertising "directed to" or "seen by" children in order to identify the unfair or deceptive advertisements?
4. Will a ban on television advertisements directed to young children affect the quality or quantity of children's television programming? What is the harm to young children of television advertising directed to them?
5. Are there remedies other than a ban for the problems associated with child-oriented television advertising?
6. Is there evidence that advertisements for highly sugared products lead children to consume such products and get tooth decay? Is a ban or some other form of restriction necessary to remedy this problem?
7. What factors affect the cariogenicity of food and what is their relative magnitude?
8. Does between meal consumption of sugared products (snacking) have a greater negative effect on dental health than mealtime consumption, so as to warrant differentiation in any proposed rule?
9. What evidence is there on the question of sugared consumption and nutrition related health problems?
10. Do children know about the health, nutrition, and dental consequences of the consumption of sugared products? Does advertising affect this awareness?
11. How should the terms "directed to" or "seen by" be defined as regard advertising to older children?
12. How could one best communicate to older children information about the risks of sugar consumption?
13. Who should devise the measures for conveying such information to older children? What is the Commission's role?
14. Will the proposed remedies adversely affect the quality and quantity of children's programming?
15. Are there specific claims regarding sugar which should be banned from children's advertisements?
16. What are the constitutional implications of a ban remedy for either advertising directed to young children or advertising of highly sugared products.

101. *Advertising Age*. June 20, 1977.

102. "A Harsh Critic of Kids' TV," *Business Week,* 29 May 1978, 52.

103. The American Association of Advertising Agencies and the Association of National Advertisers hired Burson-Marsteller, a Washington, D.C. public relations firm, to handle their campaign against the rulemaking.

104. Re:ACT: Action for Children's Television News Magazine. Summer 1978. Volume 7, Number 4.

105. Jacqueline Trescott, "ACT's Good Moment," *The Washington Post*, 1 May 1978, B2.

106. F. Earle Barcus and Lucille McLaughlin, *Food Advertising on Children's Television: An Analysis of Appeals and Nutritional Content.* June 1978.

107. F. Earle Barcus and Lucille McLaughlin, *Food Advertising on Children's Television: An Analysis of Appeals and Nutritional Content.* June 1978.

108. Jo Ann Paley-Galst and Mary Alice White, "The Unhealthy Persuader: The Reinforcing Value of Television in Children's Purchase Influencing Attempts at the Supermarket," *Child Development*, December 1976, 1089.
"Buy Me that, Mama," *The New York Times*, 3 February 1977, 55.

109. "Monitoring of Children's TV Urged," *The Washington Post*, 15 November 1978, F1.

110. "Monitoring of Children's TV Urged," *The Washington Post*, 15 November 1978, F1.

111. Termination of Rulemaking Proceeding, 16 FR 461 (1981).

112. "Monitoring of Children's TV Urged," *The Washington Post*, 15 November 1978, F1; A.O. Sulzberger, Jr, "A Bleak Mood Pervades FTC," *The New York Times*, 25 May 1981. Chairman of the FTC Michael Pertshuk was not allowed to participate in the rulings. In November 1978, U.S. District Court Judge Gerhard A. Gessell ruled the chairman could not participate in the proceeding because of his "emotional use of derogatory terms and characterizations about children's advertising. Although Gessell's decision was ultimately appealed, Pertshuk resigned from the helm to avoid any conflict of interest claims. Instead, David Clanton, a Republican, led his fellow commissioners to the final decision to terminate the advertising proceeding.

113. Termination of Rulemaking Proceeding, 16 FR 461 (1981).

114. Termination of Rulemaking Proceeding, 16 FR 461 (1981).

115. Request for Comments on Staff's Proposal to Terminate Rulemaking Proceedings, 16 CFR Part 461 (1981); A.O.Sulzberger, Jr, " F.T.C. Staff Urges end to Child-TV Ad Study," *The New York Times* 3 April 1981, D1.

116. Termination of Rulemaking Proceeding, 16 FR 461 (1981).

117. Termination of Rulemaking Proceeding, 16 CFR 461 (1981).

118. Termination of Rulemaking Proceeding, 16 CFR 461 (1981).

119. Termination of Rulemaking Proceeding, 16 CFR 461 (1981).

120. "FTC Calls off Children's Ad Proceeding," *Broadcasting* 5 October 1981, 21.

121. "Kiddie TV Rule Dies," *Advertising Age* 5 October 1981, 117.

122. A.O.Sulzberger, Jr, " F.T.C. Staff Urges end to Child-TV Ad Study," *The New York Times* 3 April 1981, D1.

123. "FTC Calls off Children's Ad Proceeding," *Broadcasting* 5 October 1981, 21.

CHAPTER 5
EXPANDING ACTIONS

Aside from ACT's work with government agencies, ACT also strove to change children's media in other ways. For this reason, the years 1974 through 1979 are important because these years saw ACT diversify its agenda from regulatory reform for children's television to the improvement of children's lives in general. This diversification led to the group's growth in membership and prominence for several reasons. First, the lack of rules in the 1974 Policy Statement signaled that children's television reform "would take more than (the) six months" the mothers had originally planned.[1] The slowness of the process frustrated Evelyn Sarson and led her to leave the group. After Sarson's departure, the only remaining founding member, Peggy Charren, emerged as the sole head of the organization. Second, the FCC's stance toward children's television made ACT seek means, other than regulatory, to change the way children watched television. This chapter will address these methods, including symposia, posters, and handbooks directed to parents, educators, and children's program producers.

Disappointments and Changes

Although ACT asked the FCC to make rules for broadcasters to follow regarding children's television programs and commercials, the FCC did not comply with ACT's requests. Thus, the rulemaking process ACT had begun was not over, and if reforms were to be made, ACT had to continue its work. However, the work would have to continue

under new leadership. Due to her frustration with the 1974 Policy Statement, ACT's former president and executive director, Evelyn Sarson, resigned from day-to-day leadership of the organization in 1975. Sarson admitted she lost patience with the slow pace of changing television regulation.

> I basically have a five-year attention span. I loved the fun of setting it all up and watching it happen. Then I slowly began to realize that this thing, trying to change children's television, was like walking through molasses—an unending sea of molasses in that we were about 30 years too late. . . . Judging from everything I'd seen, talking to ad agencies and broadcasters and people in this business. . . .I could see that I could go on talking about children's television until the end of my days and I felt this wasn't what I really wanted to do. I didn't really want to become "Mrs. Television."[2]

Even though the decision diminished Sarson's importance in ACT's history, she (Sarson) was confident that leaving Charren to run the organization was a wise decision, because of Charren's unwavering commitment to the group.

> Raising money for any non-profit (organization) is exhausting, and she (Charren) has my admiration for keeping it going all of those years. It is just an exhausting business getting the project funded. But she very much made it (ACT) her baby, and after that the rest of us sort of disappeared off of the face of the map. When she had some sort of tenth anniversary event she invited all of us to come, but it was very much Peggy's day. I think we just accepted that she wanted to make it her thing. That's fine. The rest of us haven't got the energy and the dedication to do it."[3]

Judith Chalfen agreed with Sarson's feelings about Charren's determination to increase ACT's prominence. Chalfen remembered that "Peggy wanted to be in charge and Peggy needed to be in charge. . . . Peggy wanted this to be her full time job in life."[4] Both Sarson and Chalfen, admitted that they wanted to concentrate on their families and other activist organizations. Sarson's departure left Charren the only remaining founder of the group. Charren, who was making $20,000 a year at this time, used her position to establish herself as ACT's most prominent spokeswoman.[5]

Because of their keen interest in children's television, Sarson and Chalfen remained active in an advisory capacity, but were not elemental in ACT's daily activities.[6] Both women worked in the community, while they served on ACT's executive board. Sarson, a former journalist, continued writing about children's educational opportunities.[7] A *New York Times* article penned by Sarson accused broadcasters of being guilty of the five deadly sins. Broadcasters exhibited greed, sloth, omission, envy, and anger when programming for child audiences.[8] In one of her books, an idea Sarson gave parents for vacation locations was a site where their children could "study the array of animals and plants found in the 1800s by Charles Darwin on the Galapagos Islands off Ecuador."[9] In 1976, Sarson edited ACT's book *The Family Guide to Television.* In the book's preface, noted pediatrician T. Berry Brazelton, reasoned that the book was an

> example of the new awareness of the need of parents for information about the television that their children may see. One of the best starting places for a concerned family would be to read this book, and to experiment with many viewing suggestions it contains. It can be the first step to active involvement in the viewing experiences of our children.[10]

Sarson tells parents to look for television programs for their children by determining if the program "gives information and/or entertainment related to real life situations or interests" and it gives "sincere, constructive, informative, balanced picture of life."[11]

Sarson also wrote, *The ACT Guide to Children's Television: How to Treat TV with T.L.C.*, a handbook teaching parents how to watch television with their children.[12] Peggy Charren, along with ACT's resource director Jean Johnson, wrote in the foreword that the guide was intended to "open the door to a greater impact on young viewers and provide a key to the very best use of television for children and their families."[13]

Chalfen served on several civic-minded committees such as the Newton arts council, but as her "kids got older (she) didn't feel the drive to keep working" with ACT.[14] By the time she left ACT, her three sons were not watching the children's programs, and she no longer had a personal interest in what was airing for children. As the only founder working daily with the group, Charren was able to pursue her goals with ACT. This leadership led ACT to be known as "more than a group of ladies from Boston."[15]

Not only did the Policy Statement forever alter the leadership structure in ACT, but solidified ACT's reputation in children's television advocacy. With this new reputation came a new desire to expand its public interest and advocacy efforts for children and to maintain its commitment to upgrade television for children.[16] Charren wrote in ACT's 1974 annual report,

> ACT has developed from a single-issue pressure group into a mature national organization focusing the attention of the nation on the problems and pleasures of television for children. To accomplish these goals, two important and related areas need to be developed. First, ACT need(ed) to enlarge its national constituency to attract a wide segment of the public. Second, ACT need(ed)to provide a vehicle to enable a large number of responsible citizens to express their views and to organize support for a change in children's television.[17]

However, with all of its other founders gone, Charren needed to make structural changes in the group to achieve her goals. To accommodate ACT's growing constituency, Charren hired a relatively large administrative staff with various backgrounds to help her run the organization. ACT's Fall 1975 newsletter announced:

> ACT welcomes several new staff members who have joined its Newtonville offices during the spring and summer months. Former ACT project director Debbie First assumed full-time responsibilities as executive director; Sally Foskett, director of development and membership, comes to ACT from WGBH-TV where she was on the fundraising staff. Directing activities in the resource library is Jean Johnson, . . .Lee Ripley brings experience from M.I.T.'s Sloan

> School of Management to her new job as executive secretary; Helene Seifer, who worked part-time at ACT before graduating from Wellesley College, is now office manager. Rachel Wolkin, who holds a J.D. from Villanova and an M.A.T. from Johns Hopkins University, has joined ACT as staff attorney."[18]

ACT also had a variety of college interns from Harvard and Boston University to help run the office.[19]

Although the staff was growing, most of these new women remained virtually anonymous due to the media's voracity for Charren's wit and frankness[20] that made her ACT's natural spokesperson.[21] ACT's executive director in the mid-1970s, Debbie First, did speaking engagements on the nationally broadcast *Woman* television program and served as a contributing editor at *Parent's Magazine*,[22] but the media usually demanded Charren.[23] As the organization grew and she became busier, Charren acknowledged "the press doesn't like to quote nine people from an organization. They like one person. Every time I tried to get a member of my staff—a big deal member of my staff—to talk, it (the article) would say 'the source' or however they say the person they didn't want to talk to." Charren also was convinced that her tombstone will read "she was a sound bite" because of her frequent mentions in the media.[24]

Along with the expansion of the office staff, an expansion of membership was instigated to "provide a vehicle to enable a large number of responsible citizens to express their views and to organize support for a change in children's television."[25] ACT increased its membership using several techniques. First, a $165,000 grant from the Carnegie Corporation "(was) to be used for the development of local chapters and for a national fund-raising campaign."[26] Since, this money was earmarked for new member development, ACT used it to conduct a "direct mail campaign to recruit new paying members."[27] The direct mailings were postcards that invited membership from coast to

coast. Those wanting to join could send their tax-deductible payments by check directly to the ACT offices at 46 Austin Street in Newtonville, Massachusetts. A $25 payment would ensure a "contributor" membership, a monthly newsletter, and ACT's *Family Guide*, a handbook that would "help the whole family solve their dilemmas about television."[28] A check for $15 would entitle the member to the monthly newsletter.[29] The membership fees would help those concerned "support (ACT's) efforts to upgrade children's TV and eliminate commercialism."[30] The membership push was successful. At the end of 1976, ACT's Annual Report announced,

> [i]n March 1975, ACT had 2,100 members who had contributed within the previous 12 months. ACT now has 6,500 members, triple the number prior to the grant from Carnegie. Our members come from every state and included medical professionals, educators, nutritionists, broadcasters, and concerned parents and individuals. Our renewal rate is 60% and we project a membership of 13,000 by 1978.[31]

By the time the 1976 Annual Report was made, the Carnegie grant helped ACT "produce at least $125,000 of income that will go directly to ACT programs; this is in addition to establishing the machinery that can continue to build membership and produce income."[32]

Television promotions also helped to increase ACT's membership. The grant allowed ACT to make televised public service announcements for protecting children from overcommercialization and excessive television viewing.[33] Over 4,000 Americans and Canadians responded to the 30-second spots.[34] Some of the spots featured the children of the group's members,[35] while others featured actress Mary Tyler Moore, who supported ACT, saying she was disturbed that "much of children's television is just a way to sell kids things they don't really need."[36] ACT estimated the donated station and network air-time to be between $500,000 and $800,000.[37]

ACT's membership came from a network of citizens in nearly all 50 states and in more than 75 cities.[38] Members in the cities of Benton, Ark., Los Angeles, Calif., Silver Springs, Maryland., and Cleveland, Ohio, were available to speak at PTA meetings and conferences.[39] Entire groups could be found in Pittsburgh, Pa., Seattle, Wash., and Atlanta, Ga.[40] A month after the Atlanta chapter was founded, the group had 80 members.[41] ACT would send pamphlets and project ideas to the individual contact groups. These groups also would monitor their local television stations to see what was being aired for children.[42]

The local groups also contributed literature and research to one another. One group in East Lansing, Michigan, the Lansing Committee for Children's Television (LCCT), developed a packet, *It Worked for Us*, to be sold to other groups who wanted to organize local concerned parents' groups.[43] The LCCT's packet contained "suggestions about how to obtain information from local stations and how to review a license renewal application. It also include(d) a set of guidelines called 'On your way in 10 steps' which may be helpful for those who want to organize in their own areas." The entire packet could be purchased for $1.25.[44]

ACT also gained an international contingent in Australia, Asia, Latin America, and the Virgin Islands in the mid-1970s.[45] ACT advisory board member Rachel Wolkin exchanged ideas about improving children's television programming in Latin America at an August 1976 Mejor Television Para Ninos (Better Television for Children) conference in Mexico City.[46] The international group meeting was similar to ACT's symposia because "(t)he purpose of the conference, which received the support of the Mexican government, was to promote the exchange of ideas between countries in order to

stimulate the development of children's television programming in Latin America."[47] This Mexican group likened itself to ACT because both groups were devoted to the "creation of united action by concerned parents." For the women of ACT, the "conference reaffirmed the fact that children's television is an international issue and that parental concern about it should know no boundaries." [48]

Symposia

Also in an effort to expand its membership and reputation, ACT held annual symposia across the United States, featuring national and international leaders in the area of children's media and education. [49] These symposia were made up of "presentations, panels, and workshops structured to insure productive discussion between the featured speakers and participating representatives from industry, government, and the private sector."[50] To participate in this "stimulating environment for the constructive exchange of ideas among advertisers, broadcasters, consumers, educators, and representatives from foundations, government, and the private sector," registrants would pay upwards of $150.[51] The symposia held in major cities such as Atlanta, Boston, and Washington, D.C., centered on a variety of topics of interest to politicians, the broadcast industry, and parents.

The 1974 symposium was held at the John F. Kennedy Center for the Performing Arts in Washington, March 31 to April 2. The three-day symposium featured various types of children's programs. One night featured international children's television with programs from the United States and 10 foreign countries including Norway, Mexico, France, Venezuela, Africa, and Sweden. Syndicated children's programs was the topic of a panel discussion with FCC commissioner Kenneth Cox and ABC's vice president for

children's programs, Squire Rushnell. The final day examined programs addressing handicapped children, ethnic groups, and consumer-education for children.[52]

The 1975 symposium, "Children's TV and the Arts," was held at the Atlanta Memorial Arts center in Atlanta, GA, November 2 through 4. Among the participants were 200 representatives from "the arts, broadcasting, advertising, and education," consumer advocate Senator Frank Moss, dancer-choreographer Edward Villella, and children's book author Maurice Sendak were featured at the conference.[53] These participants spoke about "audience development and sponsorship for arts programming" for children. Local representatives, such as the assistant superintendent of Atlanta Public Schools, Dr. Sidney Estes, and local pediatrician Dr. Olin Park, also made appearances at the symposium.[54]

The first night of the conference opened with a "The Popcorn Premiere," where the 600 participants were able to see "An Evening of Children's Television for Adults." Featured were a "montage of selections for notable children's programming in the fine arts, dance, music, theater, and literature." One of the programs included was a segment of the children's series, *Vegetable Soup,* a program dealing with racial prejudice.[55] *Vegetable Soup* was NBC's 39-week series produced by the New York State Department of Education.[56] The symposium's participants also tried to determine how theater and music could be transferred to television.[57] This meeting (and seemingly all of the symposia) concluded with the assessment that in order for children's broadcasting to improve there must be a wealth of money to develop it. Advertising or sponsorship could not be the source of that funding because it must be made regardless of profitability.[58]

In 1978, ACT published a book, *Promise and Performance: The Arts,* based on the arts symposium. ACT compiled the book because the group considered ACT as being "among the most nourishing but least available elements in a child's television diet."[59] The book's editor, Maureen Harmony, criticized children's music found "meandering through product jingles" and the drama "found at the end of a car crash" was not enough to sustain the amount of arts children needed in their diets.[60] In the book's foreword, poet Maya Angelou passionately wrote,

> Unheedingly and with the arrogance of nerve gas, parents and teachers, television producers and writers too often ignore the children's hunger and prescribe, doctor-like, artless fare or cheerless art. . . .Action for Children's Television, in response to this dire circumstance, has shown insight and courage in asking responsible and intelligent people to compile their thoughts on the subject of children's television and the arts.[61]

At the time of the book's publication, there were no children's programs featuring dance, opera, or the visual arts. As an alternative, ACT agreed with the director of the National Center of Afro-American Artists, Elma Lewis, who suggested that children watch the adult-targeted theatrical program *Masterpiece Theater*. The book was supported by a grant from the National Endowment for the Arts.[62]

ACT's 1976 symposium, "Products and Programs: The Child as Consumer," at Harvard University "drew a full house. . .with a quorum of advertisers, broadcasters, manufacturers, educators, consumer advocates, and representatives from the federal government."[63] Actress/journalist Estelle Parsons hosted the opening night screening of public service announcements and program segments for kids. Among the 25 film clips was an NBC offering called *Big Henry and the Polka Dot Kid*, a program that "had a lot of quiet and valuable observations to make about rural living and human nature." The program starred Estelle Parsons as "the lusty Edwina."[64] Other shows, like *Rebop*, a half-

hour series for young adolescents, and *Turkey Treasure*, a children's TV special about life in Harlem, New York, also were exhibited to the symposia audience. [65]

The conference also discussed one of ACT's platforms, the importance of promoting nutritious foods during children's television programs. The symposium participants viewed several public service announcements designed to counter ads for sugary foods, such as "Sunshine in a Stick," a short televised message intended to encourage children to eat carrots.[66] In a panel session, ACT's president Peggy Charren, assessed these spots as being "constructive messages, encouraging children to eat nutritious foods. Unfortunately, these messages rarely light up the television screen. Instead, we find hundreds of children's commercials promoting highly sugared foods" such as "Nestle's $100,000 Bar; the Fox-Cross Candy Company's Charleston Chews; and the Squibb Corporation's Life Savers." [67] In the same session, Tufts University medical professor, Dr. Abraham Nizel "concluded that the FTC and FCC have the responsibility of requiring full disclosure of the dental health hazards that eating sugar-rich foods can exert, particularly when eaten frequently."[68]

Another area addressed at the "Products and Programs" symposium was the potential effectiveness of several aspects of television. For example, self-regulation in the advertising industry was the subject of debate between National Association of Broadcaster's (NAB) counsel Brenda Lee Fox and attorney Ellen Agress. While Fox stated that "self-regulation can alleviate advertising abuses," Agress countered that children could not be protected from advertising if the advertising industry was responsible to regulate itself.[69] The NAB, , consistently held that advertising was not detrimental to children and may indeed help them if "everyone involved in the creation,

production and presentation of the advertisement assured that such material serves a positive function and avoids being exploitative of or inappropriate to a children's still developing cognitive abilities and sense of values."[70]

The meeting concluded with a presentation where participants watched excerpts from children's programs that "may be aired by local stations providing they (were) broadcast without commercial sponsorship."[71] These programs, including *Rebop, Vegetable Soup,* and *Villa Alegre!*, a program featuring a Spanish-speaking child cast, were available though the Emergency School Aid Act and were aired on public television stations.[72]

ACT's next national symposium, "Televised Role Models and Young Adolescents" was held April 30 to May 2, 1978, in Washington, D.C. The preliminary basis for this conference was a grant from the Spencer Foundation in Chicago. This group wanted ACT to create a dialog about the "behavior, attitudes, and social development of 10- to 15-year-old children."[73] At the opening night celebration Charren, "tiny, silver-haired . . .clutch(ed) a small, green suede tote-bag with her letter from President Jimmy Carter applauding the topic of the conference."[74] Carter wrote in a short letter that he and his wife Rosalynn extended the best for ACT's symposium because,

> (t)elevision has a tremendous impact on young Americans. By high school graduation, today's typical teenager will have spent at least 15,000 hours before the TV set—more time than on any other activity except for sleep. In view of this, I commend your efforts to improve the quality of children's television and to help this medium achieve its fullest potential as a force for good in the lives of our children and their families.[75]

Charren commented that in ACT's tenth year the group had met with varying levels of success. ACT had "raised sensitivity about children's programming on television. . . .It also achieved a ban on children's vitamin commercials, a reduction of

commercials during key children's programming hours, and elimination of the use of hosts on children's programs to sell products." However, the FCC still had not made a guideline for broadcasters when serving the educational needs of children. [76]

This conference featured many celebrity guest speakers as the conference was held in conjunction with ACT's tenth anniversary celebration. An audience of 1,600 was at the opening night festivities which featured several well-known personalities at a "tax-deductable" charity event. The celebrities presented a "multi-media show to benefit ACT's programs."[77] Actor and father Ossie Davis urged broadcasters to advertise to him as a consumer—not his child. Instead, "treat children not as an audience to be entertained, moved, amused, stimulated, and educated." LeVar Burton, host of a multi-cultural preteen show, *Rebop*, stated that broadcasters "shouldn't put diversity on television because it's right, but because it's good business." Actress and child television advocate Marlo Thomas added to Burton's statement about diversity on television. Thomas noted "the absence of realistic role models for a majority of people in this country—women of all races."[78]

Broadcasters' attempts to address the needs of a teenage audience was an aspect of this conference. One of the symposium's panels, "Truth and Consequences was designed to illuminate some ways in which TV programming can be more responsive to adolescent needs."[79] ABC's Vice President for Broadcast Standards Alfred Schneider discussed the hesitancy some networks may have in addressing teen issues such as pre-marital sex, birth control, and homosexuality. He stated that "matters dealing with sexuality are relevant, appropriate, and part of the lives of young adolescents . . . but

networks must walk a 'fine line' because some parents feel that 'even referring to such subjects is tantamount to condoning of encouraging certain behavior in teenagers."[80]

Based on the discussions at this conference, ACT compiled a study of teenagers and their television viewing habits. The book was introduced as being "comprehensive research on adolescents' needs, examining what teenagers are currently learning from television, and suggesting some creative programming ideas that could better meet the requirements of this young audience." Medical professionals and child development experts offered insights about teen sexuality, nutritional development, and the rise of juvenile crime resulting from media exposure.[81]

Fundraising

ACT charged symposia participants a fee for attendance—less than $200 per person and $75 for ACT members.[82] This money was enough to support the conference, but ACT needed additional funds to support its other activities. The three-year, $165,000 development grant from the Carnegie Corporation allowed ACT to generate $125,000 of income from new membership, but ACT's wide-ranging activities received support from other sources.[83] ACT received a grant for $10,000 from the Institute for World Order to create and distribute materials to help parents discuss televised violence and the portrayal of women and cultural minorities to their children.[84] The funds allowed ACT to produce pamphlets, games, and posters in cooperation with members of the American Academy of Pediatrics and an advisory board composed of medical and child development professionals.

The New York Foundation awarded a $12,000 grant to ACT for a project to produce and distribute a nutrition poster targeting English and Spanish-speaking children

in New York City.[85] The posters, distributed to families in the Williamsburg section of New York, featured

> a panorama of city scenes populated by white, black, and Hispanic families who are shopping, playing, preparing meals, and pursuing a variety of activities in and around their homes. Street signs, billboards, and graffiti contain(ed) messages about nutritious food products, with ideas for colorful and tasty fruit, vegetable, and protein-filled snacks.[86]

The poster was printed in many colors, but space was provided so children could add their own designs and "imaginative splashes of color" to their very own poster.[87]

Positive racial, ethnic, sex and age roles in television were explored in a national symposium in Washington, D.C., and a resource handbook with a $25,000 grant from the Mary Reynolds Babcock Foundation.[88] The handbook had the same title as the national symposium of 1978, *Televised Role Models and Early Adolescence*. Both the handbook and the symposium were designed to

> be useful to broadcasters, teachers, parents, and researchers interested in how television can better serve children and youth. Among the topics (were) an analysis of current role models on television programs with a large audience of 10- to 15-year olds; the characterization of people in various jobs and its effect on young people's career choices; a delineate of the needs of early adolescents, and a summary of research devoted to the effects of television on the behavior and attitudes of people in this age group.[89]

The articles in the resource handbook also came with a catalog of printed and audio-visual material and a list of experts who may be helpful to producers of television programs for teens.[90]

The Charles H. Revson Foundation and The Robert Sterling Clark Foundation donated $50,000 and $25,000, respectively, so ACT could "continue its legal advocacy activities before the Federal Trade Commission and the Federal Communications Commission."[91] In 1978, The Foundation for Character Education's $25,000 grant

allowed ACT to conduct media literacy projects that were "designed to educate adults and adolescents about children's television. Finally, the Ford Foundation maintained its commitment to assist ACT in recruiting and maintaining membership. The Foundation awarded another two-year $150,000 grant in 1978 to support "a project designed to ensure public participation in the process of improving children's television."[92]

In several instances, ACT was able to use the granted funds to produce income for the organization. In the early 1970s, ACT used grant money to create its first 15-minute, 16mm color film titled, *But First This Message,* featuring children and children's television experts discussing the effect advertising has on children. Parent Teacher Associations and community groups could rent the film for $25 or could buy it for $150.[93] Similarly, in 1978, ACT produced an *It's as Easy as Selling Candy to a Baby*. This "11-minute 16 mm color film about TV advertising of heavily sugared foods to children include(d) clips from commercials and statements from dental and nutritional professionals." Parents, PTA's, and educators could rent the film for $25, or it could be purchased for $185.[94]

One year later, ACT produced a 22-minute film about the state of children's television advertising titled, *Kids for Sale.* The film began with the screen

> awash with images of smiling and playful children, cartoon characters, and—last but not least—products. All kids of products are shown, but they have one common denominator: they are used or consumed by children. Candy and cereal are the most represented.
>
> "There are 18 commercials in an average hour of children's programming," the narrator says. "Buy this, says the commercial, then you belong. Get this, then you're a winner."
>
> Cut to an interview with a young child in his school classroom. He is explaining how he saw someone on TV eat a certain product and then jump into a backflip. "I tried it," he said. "But I landed on my head."[95]

The video was screened at a press conference alerting parents to the FTC's impending hearings on children's television advertising.[96]

Along with the lucrative grants, ACT also was able to raise money by sponsoring benefits that were supported by Boston families and area corporations. ACT sponsored children's plays based on fairy tales as fundraising activities. In the spring of 1976, ACT invited potential contributors to a benefit performance of *The Spring Revels,* a theater presentation of traditional dancing and singing. Attendees were encouraged to join in the festivities at price ranges varying between $7.50 and $100. [97]

ACT's Project Expansion

The group was still committed to children's educational television, but its newsletters and magazine illustrated that ACT broadened its focus after the FCC's Children's Television Report and Policy Statement of 1974. ACT increased its vocal stance against advertising directed toward children especially when the products advertised were foods and toys. ACT also concentrated on the broadcasters' self-regulatory action of the mid-1970s, the Family Viewing Hour.

One of ACT's campaigns was directed at advertising carried during the nationally syndicated *The Mickey Mouse Club.*[98] ACT's complaint with the ads was that "the 30-second commercial created by Ingalls Associates of Boston, (was) designed to persuade young viewers that they need their own official Mouseketeer miniature to keep them company on lonely afternoons" in front of the television. The ads, which were seen in 128 markets across the country, encouraged kids to ". . . watch your favorite program with a friend (the Mouseketeer miniature)."[99]

The advertising strategy, which ACT likened to being "slipped a mickey," contradicted the FCC's recommendation that "any material which constitutes advertising should be confined to identifiable commercial segments which are set off in some clear manner from the entertainment portion of the program."[100] Before the program debuted in 1974, more than 65 companies had a license to use the new Mickey Mouse Club's logo on "bubble bath, record albums, jewelry, shoes, ice cream, yo-yos and jammies."[101] Further, ACT complained, if the program was not going to separate the commercial from its programming, the licensees should be required to log the 30-minute program as "commercial matter."[102] At that time, the FCC utilized the self-regulatory group, the National Association of Broadcasters' Code, which permitted 12 minutes of advertising during weekday programs for children.[103] In the end, some local stations, including some large market stations like WNEW-TV in New York and WSBK-TV in Boston, rescheduled the ads so they were not aired during the Mouseketeer program.[104]

ACT also was a vocal opponent of fireworks advertising being aired during programs when children were in the audience. Charren said, "(a)lthough the laws in most states restrict the sale of fireworks to adults, advertisers are still permitted to sell an alluring assortment of these dangerous products to children on television."[105] Charren asked representatives of WDCA, an independent TV station in Washington, D.C., not to run its 54 fireworks commercials during the afternoon and early evening children's programs in the two-weeks before the 4th of July.[106] WDCA agreed that running the ads during *Bewitched, Bozo's Circus,* and *The Munsters*, programs with children in the audience, could be detrimental to the health and safety of young children. In response to ACT's success in this matter, the NAB Code Review Board voted to ban all televised

fireworks advertising.[107] Further, the NAB applauded ACT's role in the effort because, "someone has to blow the whistle when things threaten to get out of hand. So we (broadcasters) better be accustomed to organizations like ACT, because they apparently have a legitimate part to play."[108]

ACT made similar complaints pertaining to the health and safety concerns of children in food advertising. ACT's San Francisco contact, Sally Williams, one of ACT's most active regional leaders,[109] represented the group at the July 1975 hearings about food advertising to children. Williams testified that foods with sugar and carbohydrate content led to poor eating habits, unbalanced diet and poor health in children. The California legislature agreed, saying that it would ask the federal government to correct the lack of an FCC or FTC regulation about food advertising.[110] The California legislature resolved to ask that

> The President, Congress, the FTC, and the FCC make changes in the law and regulations that would eliminate any commercial segment broadcast during television programs designed for children and aired between 7 a.m. and 6 p.m. daily that represents a name brand product for which there is satisfactory evidence indicating that it contributes adversely to the nutritional well-being of children.[111]

This resolution chaired by state Senator George R. Moscone was precedent-setting in that it was the first in California law to address food advertising to children.[112]

Another ACT contact, Virginia Simon of Denver, Colorado, also worked to improve food advertising to children. Simon worked with Colorado Public Interest Research Group and the American Society of Preventive Dentistry to request that cereal-maker General Mills "discontinue its test-marketing for a new sugar-filled breakfast product *Magic Puffs*." Simon complained about the high level of sugar found in the

cereal after a chemical analysis was conducted. *Magic Puffs* "which was TV advertised to children, contained over 53% sugar, more than candy bars." [113]

Along with food advertisements, ACT addressed toy advertisements. ACT filed a formal complaint against Hasbro Industries for using deceptive practices to advertise its "Bulletman." ACT was concerned that children could be deceived because the Bulletman spot showed " the toy to move at great speed and break through objects—qualities that (made) the toy appear to be a 'human bullet.'" Further, ACT noted that the commercial did not allow the "child consumer to distinguish between which accessories are included with the toy and which are sold separately."[114] Hasbro executive, Kenneth B.Block defended the spots saying the commercials were cleared in advance by the National Association of Broadcasters Code and were submitted voluntarily to National Advertising Division of the Better Business Bureau. The latter organization said it received no other complaints on the advertisement.[115]

In addition to ACT's concerns about advertising to children, the group sought to create a variety of handbooks to aid the child audience. Foundations and other non-profit groups often joined with ACT to produce these documents. First, with the support of a $20,000 matching grant from the National Endowment for the Arts, ACT was able to prepare the *Resource Handbook on Children's Television and the Arts*. The organization was concerned that the current state of television was depriving children of theater, dance, literature, music, and visual arts. The handbook included information about the arts improving a child's self-image, a list of experts who could be consulted on the topic, and a list of audio-visual materials to increase a child's access to the arts."[116]

The group also put together a handbook on television programming and handicapped children[117] funded with grants from the Joseph P. Kennedy, Jr., Foundation, the Lilly Endowment, and The Van Ameringen Foundation.[118] The handbook was necessary because the broadcasting industry needed to make an "unequivocal commitment to promoting realist images of disabled people." Stemming from this need, ACT announced its handbook for special needs children, *Promise and Performance: ACT's Guide to TV Programming for Children, Volume 1: Children with Special Needs,* on May 23, 1977. The point of the book was to encourage "professional workers in the field of child development to broaden our knowledge so that service and educational programs—in the schools and through the media."[119] Ballinger published the handbook, which contained

> Twenty-five original articles by broadcasters, educators, psychologists, and researchers, who discuss the images of disabled people in the media; the effect of television on mental health and self concepts of children; the needs of children in hospitals; and past TV productions that have included children with handicaps . . The book is organized into nine chapters that concentrate on programs for and about mentally retarded, hearing-impaired, and vision–impaired children, mental health, and parenting; as well as production guidelines and programming prospects for producers, directors, research staffs, broadcasting executives, and advertisers."[120]

The handbook's contributing writers were representatives from popular children's shows like *Mister Rogers' Neighborhood* and *Sesame Street.*[121]

Additionally, ACT did a project at the urging of medical professionals and parents. ACT made "an attractive poster" called *Treat TV with T.L.C.* The poster illustrated guidelines of how parents and children should "Talk about," "Look at," and "Choose" television programs. One of the suggestions was to teacht parents to instruct their children to "look for women who are competent in a variety of jobs."[122]

In 1977, ACT created 30- and 60-second animated spots based on the *T.L.C.* poster. The ABC television network produced and aired the musical spots. The producers of the *T.L.C* spots, songwriter Bob Dorough and the ad agency McCaffrey and McCall, also produced the network's popular *Schoolhouse Rock* series. The Vice President for Children's Programs, Squire Rushnell, stated that "the message is consistent with ABC's philosophy to try to encourage greater parental involvement in children's television." ACT's former president, Evelyn Sarson transformed the poster into a book in 1979.[123]

Charren reasoned that the poster and other tips to teach parents how to teach their children to watch television was a part of ACT's responsibilities. Charren contend that it was "relatively irresponsible in this day and age to tell a child not to watch TV—there are lots of good programs." It also was foolhardy to suggest that a mother watch every program her child watched because, "her (the mother's) big concern is that the baby won't fall off the changing table. If you try to tell her to sit and watch TV with the children, she'll think it's a joke." Instead, Charren encouraged parents to ask children about the shows at bedtime. If children were to watch a detective show like, *Starsky and Hutch,* parents should be there to help them deal with the violence. The real problem is when they sit there alone, night after night, with all that fear and violence."[124]

When ACT expanded its efforts and interests, its following grew. As a result, this period in the 1970s was the most prosperous for ACT. The next decade will not be so successful. The 1980s will find ACT facing its biggest opposition in the Reagan administration and Reagan's appointee to head the FCC, Mark Fowler. The 1980s FCC encouraged broadcasters to seek audiences in whatever ways it could. Broadcasters took

this opportunity to increase commercial time in their programming and adding programs based on toys that were profitable for the broadcasters, but led ACT to appeal to federal courts and Congress for regulatory action.

Notes

1. Evelyn Sarson, interview by author, 20 November 1998, tape recording.

2. Evelyn Sarson, interview by author, 20 November 1998. Sarson said she did not want to spend the rest of her life doing battle with the FCC over children's television. She stated that she thought the rulemaking would take a few years, but her dealings with the FCC made her realize the process was longer than she thought.

3. Evelyn Sarson, interview by author, 20 November 1998, tape recording.

4. Judith Chalfen, interview by author, 18 October 1999, tape recording.

5. "A Harsh Critic of Kids' TV," *Business Week*, 29 May 1978, 52.

6. ACT Annual Report, 1974.

7. Evelyn Sarson, interview by author, 20 November 1998, tape recording. Some of the Sarson's articles were: "A Day in the Life of an Activist Mom," *Boston Globe.* 15 August 1971, 13; "We as Parents Accuse you of the Five Deadly Sins," *The New York Times*, 27 February 1972; "TV Ads for Children under Fire," *Boston Sunday Globe*, 26 May 1974, A1; "An Advertiser Points out a Way to Eliminate TV Violence," *Boston Globe*, 19 May 1974.

8. Evelyn Sarson. "We as Parents Accuse you of the Five Deadly Sins." *The New York Times*. 23 February 1972, 17.

9. Evelyn Kaye. *Travel and Learn: Where to go for Everything you'd Love to Know.* (Boulder, Co: Blue Penguin Books, 1996.)

10. Evelyn Kaye. *The Family Guide to Children's Television.* (New York: Pantheon Books, 1974).

11. Evelyn Kaye. *The Family Guide to Children's Television.* (New York: Pantheon Books, 1974).

12. Re:ACT. Action for Children's Television News Magazine. Spring 1979. Volume 8, Number 3; Sarson's book, *The ACT Guide for Children's Television: How to Treat TV with T.L.C.* was made available through ACT's newsletter for $5.95.

13. Evelyn Kaye, *The ACT Guide to Children's Television: How to Treat TV with T.L.C.* (Boston: Beacon Press, 1979).

14. Judith Chalfen, interview by author, 18 October 1999.

15. Helen C. Smith. Ladies from Boston: ACT out to improve kids' TV shows. *The Atlanta Journal Constitution.* November 4, 1975, 3B

16. Action for Children's Television. Annual Report, 1974.

17. Action for Children's Television. Annual Report, 1974.

18. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

19 Judith Chalfen, interview by author, 18 October 18 1999.

20. All three of the women, Chalfen, Sarson, and Charren commented on the media's enchantment with Charren. Further, Charren recognizes that it is largely her sense of humor that keeps the reporters calling her, even though the group has been disbanded.

21. Charren's visibility was so prominent that she was among the 200 women who were listed in the 1975 *Directory of Women's Media.* Action for Children's Television Newsletter. Spring 1976. Volume 5, Number 3.

22. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

23. Upon personal observation nearly all of the articles about ACT found in newspapers and magazines from the mid-1970s to 1992, included quotes, pictures, or references to Peggy Charren.

24. Peggy Charren, interview by author, 19 October 1998.

25. Action for Children's Television. Annual Report, 1974.

26. Les Brown. TV Action Group for Children gets $165,000 grant to grow. *The New York Times.* March 5, 1977, 77.

27. Peggy Charren, interview by author, 19 October 1998.

28. Evelyn Sarson wrote *The Family Guide*. It was written to tell parents and children "what to watch, what to miss, what to change, and how to do it."

29. Membership cards are found in ACT's newsletters from 1975 to 1979. The cards have the prices for varying levels of membership.

30. Action for Children's Television Newsletter. Fall 1976. Volume 6, Number 1.

31. Action for Children's Television. Annual Report 1976.

32. Action for Children's Television. Annual Report 1976

33. Action for Children's Television. Annual Report,1976.

34. Action for Children's Television. Annual Report,1976.

35. Personal correspondence with Rob Chalfen. March 2001.

36. Action for Children's Television. Summer 1977. Volume 6, Number 4.

37. Action for Children's Television. Annual Report, 1976.

38. Action for Children's Television Newsletter. Spring 1978. Volume 8, Number 3.

39. Several parents in the Cleveland area were vocal advocates for improved children's television. Carole Zuchniewicz asked readers of the *Cleveland Plain Dealer*, "why can't there be a special children's program from 7 to 8 or 8 to 9 p.m. during the family hour—not only at Christmas time. Peggy Thuman asked the same readers, "why can't television produce entertaining programs that deals with more peaceful, educational subjects." Letters to the Editor. *Cleveland Plain Dealer*. 9 January 1976.

40. ACT Newsletter. Volume 5, No.1. Fall 1975. Some of the members of the contact network started their own activist groups.

41. Helen C. Smith. ACT: Children's TV is the issue. *The Atlanta Journal Constitution.* November 1, 1975, 2T.

42. Judith Chalfen, interview by author, 18 October 1999.

43. ACT News. Volume 5, Number 4. Summer 1976.

44. Action for Children's Television Newsletter. Volume 5, Number 4. Summer 1976.

45. Re:ACT. Action for Children's Television News Magazine. Spring 1979. Volume 8, Number 3., 18.

46. Action for Children's Television Newsletter. Fall 1976. Volume 6, Number 1.

47. Action for Children's Television Newsletter. Fall 1976. Volume 6, Number 1.

48. Action for Children's Television Newsletter. Fall 1976. Volume 6, Number 1.

49. Judith Chalfen, interview by author, 18 November 1999.

50. Action for Children's Television Newsletter. Summer 1976. Volume 5, Number 4.

51. Action for Children's Television Newsletter. Fall 1976. Volume 6, Number 1. The fee depended on whether the participant was an ACT member and when they registered for the conference.

52. Les Brown. Consumer Group Plans Children's TV Festival. *The New York Times*. March 2, 1974, 85.

53. Action for Children's Television Newsletter. Winter 1976, Volume 5, Number 2.

54. Children's television and the Arts. *The Atlanta Journal Constitution.* October 26, 1975, 2F.

55. Action for Children's Television Newsletter. Winter 1976. Volume 5, Number 2.

56. NBC Announces Children's Programs. *The New York Times.* June 11, 1975, D68.

57. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

58. Action for Children's Television Newsletter. Winter 1976. Volume 5, Number 2.

59. Maureen Harmony, ed. *Promise and Performance: The Arts, ACT's Guide to TV Programming for Children.* Cambridge, MA: Harper & Row Publishers, 1978.

60. Maureen Harmony, ed. *Promise and Performance: The Arts, ACT's Guide to TV Programming for Children.* Cambridge, MA: Harper & Row Publishers, 1978.

61. Maureen Harmony, ed. *Promise and Performance: The Arts, ACT's Guide to TV Programming for Children.* Cambridge, MA: Harper & Row Publishers, 1978.

62. Maureen Harmony, ed, *Promise and Performance: The Arts, ACT's Guide to TV Programming for Children* (Cambridge: Harper & Row Publishers, 1978).

63. Action for Children's Television Newsletter. Winter 1977. Volume 6, Number 2 & 3.

64. John O'Connor. When it comes to network programming for children, quality does exist but it is rare and costly. *The New York Times.* November 9, 1975, 73.

65. Action for Children's Television Newsletter. Winter 1977. Volume 6, Number 2 & 3.

66. Action for Children's Television Newsletter. Winter 1976. Volume 6, Number 2 & 3; Action for Children's Television Newsletter. Summer 1977. Volume 6. Number 4.

67. Action for Children's Television Newsletter. Winter 1976. Volume 6, Number 2 & 3.

68. Action for Children's Television Newsletter. Summer 1977. Volume 6. Number 4.

69. Action for Children's Television Newsletter. Winter 1976. Volume 6, Number 2 & 3.

70. Statement of Principles on Children's Television Advertising. National Association of Broadcasters' Television Code Review Board. 7 June 1973. This code was applicable to broadcasters and advertisers no later than January 1, 1974.

71. Action for Children's Television Newsletter. Winter 1976. Volume 6, Number 2 & 3.

72. Action for Children's Television Newsletter. Winter 1976. Volume 6, Number 2 & 3; John J. O'Connor. "Review of Children's TV Programs." *The New York Times*. 24 October 1976, 56.

73. Re: ACT. Action for Children's Television News Magazine. Fall 1977. Volume 7, Number 1 & 2.

74. Jacqueline Trescott. ACT's Good Moment. *The Washington Post*. May 1, 1978, B2.

76. Jacqueline Trescott, "ACT's Good Moment," *The Washington Post*, 1 May 1978, B2.

77. Phyllis C. Richman. "Getting into the Act." *The Washington Post Magazine*. 30 April 1978, 55.

78. Re:ACT. Action for Children's Television News Magazine. Summer 1978, Volume 7, Number 4.

79. Re:ACT. Action for Children's Television News Magazine. Summer 1978, Volume 7, Number 4.

80. Re:ACT. Action for Children's Television News Magazine. Summer 1978, Volume 7, Number 4.

81. Meg Schwarz, ed. *TV & Teens: Experts look at the Issues*. (Reading, MA: Addison-Wesley Publishing, 1982.)

82. ACT Newsletter. Fall 1975. Volume 5, Number 1. In 1975 the fee was $125 for non-ACT members. In 1978, the amount was $170.

83. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

84. Action for Children's Television Newsletter. Fall 1976. Volume 6, Number 1.

85. Action for Children's Television Newsletter. Summer 1976. Volume 5, Number 4.

86. Action for Children's Television Newsletter. Summer 1976. Volume 5, Number 4.

87. Action for Children's Television Newsletter. Summer 1976. Volume 5, Number 4.

88. Action for Children's Television Newsletter. Winter 1977. Volume 6, Number 2 & 3.

89. Action for Children's Television Newsletter. Winter 1977. Volume 6, Number 2 & 3.

90. Action for Children's Television Newsletter. Winter 1977. Volume 6, Number 2 & 3.

91. Re:ACT: Action for Children's Television News Magazine. Spring 1978. Volume 7, Number 3.

92. Re:ACT: Action for Children's Television News Magazine. Spring 1979. Volume 8, Number 3.

93. Action for Children's Television Newsletter. Volume 5, Number 1.

94. Re:ACT: Action for Children's Television News Magazine. Spring 1978 Volume 7, Number 3.

95. Larry Kramer. "Kids advertising hearings to open." *The Washington Post*. February 28, 1979, D9.

96. Larry Kramer. "Kids advertising hearings to open." *The Washington Post*. February 28, 1979, D9.

97. Action for Children's Television Newsletter. Spring 1976. Volume 5, Number 3.

98. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

99. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

100. Children's Television Report and Policy Statement. 50 FCC 2d 1 (1974).

101. Tom Shales. "The Mouse Club Roars Back." *The Washington Post*. 17 January 1977, B1.

102. The FCC had issued a similar mandate in the *Hot Wheels* case where replicas of racing cars were being sold during a cartoon program of the same name. Also for the licensees to log the program as a commercial would violate the National Association of Broadcasters' suggestion stating that stations air no more than 12 minutes of advertising per hour during children's program.

103. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

104. The Mickey Mouse Club airing on WNEW received nearly a 20 share, meaning that 20 percent of the audience watching television at that time of day was tuned into that program. Philip H. Dougherty. "Industry News." *The New York Times*. 22 January 1975, 63.

105. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

106. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

107. Action for Children's Television Newsletter. Winter 1976. Volume 5, Number 2.

108. Editorial. *Advertising Age*. June 30, 1975.

109. Judith Chalfen, interview by author, 18 October 1999.

110. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

111. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

112. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1.

113. Action for Children's Television Newsletter. Fall 1975. Volume 5, Number 1. -

114. Action for Children's Television Newsletter. Winter 1977. Volume 6, Numbers 2 & 3.

115. Industry News. *The New York Times*. 7 January 1977, 7.

116. Action for Children's Television Newsletter. Winter 1976. Volume 5, Number 2.

117. Action for Children's Television, *Children with Special Needs: ACT's guide to TV programming for children,* 1977. ACT published its handbook for wider distribution..

118. Action for Children's Television Newsletter. Spring 1976. Volume 5, Number 3.

119. Maureen Harmony, ed. *Promise and Performance: Children with Special Needs.* (Cambridge: Ballinger Publishing Company, 1977).

120. Action for Children's Television Newsletter. Summer 1977. Volume 6, Number 4.

121. Action for Children's Television Newsletter. Summer 1977. Volume 6, Number 4.

122. Action for Children's Television Newsletter. Summer 1976. Volume 5, Number 4.

123. The ACT Guide to Children's Television: or how to treat TV with T.L.C. 1979.

124. Richard Flaste. "Screening TV for uncritical young eyes." *The New York Times*, A14.

CHAPTER 6
DEREGULATORY ACTION

In a brightly colored jacket and surrounded by Bunny Rabbit and farmer Mr. Greenjeans, Captain Kangaroo would gently sing songs and play games with his in-studio friends and at home viewers. Every weekday for 27 years, the soft spoken and genial Captain introduced young children to a world where cleanliness counted and violence was non-existent.[1] Then, in 1982, CBS moved the daily show to weekend mornings, replacing it with a morning news program. Three years later, the network canceled the program outright. In September 1985, Bob Keeshan addressed the recent cancellation of his program at the World Communication Day sponsored by a consortium of Catholic organizations. He said his long running program was taken off the air "because of the lack of stipulations by government. It wasn't a matter or ratings—we had very substantial ratings . . . The demographics decided the fate of *Captain Kangaroo*."[2]

The 'lack of stipulations by government' Keeshan referred to was the deregulatory philosophy of the Reagan administration. Under the Reagan administration, government agencies deregulated various industries. Among these was the broadcast industry. Reagan appointed former campaign aid Mark Fowler to head The Federal Communication Commission, which led to the eventual demise of several regulations including measures pertaining to children's television. The statement that asked broadcasters to air a diversity of programs to serve the developmental needs of children

was repealed in 1985. As a result, several groups criticized Fowler's appointment including Action for Children's Television (ACT).

This chapter will address the impact Mark Fowler's FCC had on the broadcasters' public interest requirements, industry economics, children's television content, and advocacy. Within the context of broadcasters' strategies and children's viewing habits from 1981 to 1987, this analysis will use government documentation, trade publications, periodicals, and personal interviews to discuss the deregulatory period. Ultimately, the present research looks at the relationship between two influential groups, the FCC and Action for Children's Television, over television during one of the most contentious times in broadcasting.

Background

In 1968, ACT was formed in the Newton, MA, living rooms and kitchens of four mothers. One of the group's principal aims was to "stimulate meaningful dialogue with broadcasters and encourage diversity in children's programming." Most broadcasters cited the lack of financial benefit in educational programs to rebuff the lobbying group. ACT recognized that broadcasters would only air programming that may not be profitable if they were legally required to do so. In January of 1971, ACT petitioned the FCC, asking that it make specific rules regarding children's television, opening FCC Docket 19142: In the Matter of Children's Programming and Advertising Practices. After three years of hearings and information gathering, the FCC created the Children's Television Report and Policy Statement of 1974. The statement was not as specific as ACT had hoped, but it did request that broadcasters air diverse programming that would benefit the children in their audiences. The statement also provided for a Children's Television Task Force to be utilized in 1978 to check the broadcaster's commitment to

this diversity of programming. As such, Docket 19142, opened by ACT's initial inquiry in 1971, remained open.

When the task force convened in 1978, it found that there was not any significant increase in the overall informational and educational programming aired on the three major networks, ABC, CBS, and NBC, between 1974 and 1978. The task force reported that there was no significant increase in the programming because it was not economically attractive for broadcasters to do so since educational programs were not retaining a large audience.[3]

The networks reported that their Saturday morning audience dropped since 1976.[4] The small numbers of children in the audience and the "limited appeal" of the children's market to advertisers created an incentive for commercial television stations to neglect the needs of children in the audience.[5] ABC, CBS, and NBC claimed a general decline in children's television advertising since 1972. CBS Broadcast Group president John A. Schneider said that its profits for weekend children's programs on the network had decreased by 69 percent between 1972 and 1975.[6] ACT's president Peggy Charren bristled at the assessment saying, "For broadcasters to say, 'Oh, you're going to bankrupt us' is not to be believed. If that (educational programming) is going to bankrupt you, you should be in the shoe business (not show business)."[7]

In light of these findings, the FCC listed several options to be weighed. The FCC could rescind the 1974 statement, finding that broadcasters no longer had any specific obligation to serve the child audience. The commission also considered amending the policy statement to adopt either mandatory rules for a short time or add quantitative guidelines for children's programming. Finally, the commission wrote that increasing the number of video outlets could increase the amount of diverse educational television.

Before making its decision, the commission gathered responses from its task force, broadcasters, advertisers, and public interest organizations in the summer of 1980.[8]

Concerned parties, such as the broadcast networks and ACT, conducted their own studies, which ultimately pointed out what they saw as the inaccuracies in the task force's findings.[9] ABC called the report, "unnecessary," and a "grave threat to First Amendment guarantees"[10] while CBS said that the report provided "no justification for the adoption of mandatory rules" for the broadcasters to follow.[11] Studies conducted by NBC showed there was almost 50 per cent more children's television programming than found in the Task Force's study. Unlike the Task Force's study NBC counted public television and distant stations in their survey.[12]

ACT presented a study that was contrary to the network's findings. ACT commissioned a study of Boston-area broadcasters, which found that "45% of the stations reported no regularly scheduled children's program between 6 a.m. and 2 p.m. and approximately 70% of the network-affiliated stations reported no regularly scheduled children's program between 2 p.m. and 6 p.m." From Professor F. Earle Barcus's research, ACT concluded that, "despite lip-service by the broadcast industry regarding its commitment to serve children, the state of children's television has deteriorated."[13]

Although the FCC, under the leadership of Commissioner Charles Ferris, had gathered a significant amount of research, the commission did not report its findings. Instead, the proceeding was abandoned late in1980 after the election of new president Ronald Reagan. With the Reagan administration came new leadership and a new leadership philosophy at the FCC.

Let the Marketplace Decide

In January 1981, Ronald Reagan was sworn in as the President of the United States. Reagan was elected due, in part, to his platform of deregulation or less government involvement with businesses. The Reagan administration saw the "introduction of new interests, ideas, and institutions that suggested a new regulatory regime, one based on a return to the market, and the supremacy of economics in regulatory decision-making."[14] There were several reasons for this major philosophical change in government. First, deregulation was intended to lessen the amount of paperwork in government.[15] Also, under this regulatory strategy the government hoped to promote the stability and profitability of the industries it regulated. Eisner found that the ultimate effect of deregulation was that the agencies helped to raise the income of the industry usually to the detriment of consumers. [16] The FCC carried out this initiative by repealing or not enforcing already existing rules.

Action for Children's Television's president Peggy Charren said she immediately recognized the detriment this deregulatory phenomenon would have on ACT's desired television regulation. Charren said,

> (f)rom the day the guy got elected (Reagan) I knew we were in trouble. Although, through two Republican and one Democratic administration everything was working fine . . . The Nixon and Ford presidencies were OK through this issue. Their chairmen focused on children and television in a reasonable way. We can't say the same for Reagan's administration. I think that was an unfortunate election, all together. [17]

The 1980 election, and subsequent appointments, were illustrative of Charren's contention that "elections and voting in determine how the country works."[18]

Reagan's appointee to chair the FCC was Mark Fowler, a political ally, who philosophized that the needs of the audience would be met if the audience decided if the programs were desirable. According to telecommunication scholars, Smith, Meeske, and Wright, the deregulatory philosophy,

> the electronic communications media should be free of regulation so they can make the maximum amount of money as possible. They (the FCC) rejected nearly the entire precedential history of the FCC as no longer valid and wrote decisions to reflect their ideological aims.[19]

Fowler reasoned, "let the people of our country directly determine what ought to be on television. Programs live and die based upon viewer preference. FCC standards have been unnecessary intrusions on that process."[20]

Fowler often referred to his stance as "letting the marketplace decide", while his detractors dubbed it, "letting the industry decide" because deregulation allowed the broadcasters to air programming that was as profitable as possible.[21] But Fowler argued that deregulation was not only beneficial to broadcasters, but also to viewers because, "by eliminating requirements (the FCC) would free broadcasters to initiate more innovative programming."[22] This programming would result in "more choice, better quality, and lower prices."[23]

Fowler at the FCC

Mark Fowler's regulatory philosophy was born during his ten years of broadcasting before entering the legal profession. During high school, he was a part-time announcer at several radio stations in Winter Park and Orlando, Florida. During his undergraduate education at the University of Florida in Gainesville, Fowler used the on air name "Madman Mark," as a disc jockey at WDVH (AM). During law school, he

worked as WDVH's production director. Fowler also had some sales experience while working as an announcer at WMEG in Melbourne, Florida.[24]

His broadcasting experience introduced him to the "minutiae" that plagued the station's workers who were trying to satisfy the agency's public interest requirements set up in the Communications Act of 1934. At WDVH in Gainesville, he "chafed at the public service programs he was required to air. So he buried them in the doldrums of the early morning hours."[25] Fowler saw these broadcast regulations as being censorship, which "had no place in a democratic, free society."[26]

After his broadcasting jobs, Fowler succeeded in his legal career. Fowler was a senior partner in the law firm of Fowler & Meyers, a firm representing broadcasters. Fowler solidified his political relationship with Ronald Reagan when he served as communications counsel for Reagan's 1976 and 1980 bids for the presidency. During president-elect Reagan's transition, November 1980 to January of 1981, Fowler was the co-director of the legal and administrative agencies group of the executive branch. He also was a lawyer for the Virginia Association of Broadcasters, and the law firm that represented broadcasters.[27] President Reagan appointed Fowler, then 39 years old, to the commission in March of 1981.[28] He was Reagan's logical choice to lead the FCC. Fowler, a self-titled "Reaganite," declared that he was "not a captive of any industry in general. I am a captive of a philosophy of government we call Reaganism."[29]

Fowler and ACT

Charren immediately saw the impact Fowler's time at the FCC would mean to ACT's cause.

> The first speech Mark Fowler gave was at the Waldorf-Astoria for the IRTS, the International Radio and Television Society lunch, which is a very big deal. I

> think it is the biggest speech in broadcasting and I was there! We (ACT) sort of became a player at least in lunches. I heard Folwer say, 'television is a toaster with pictures. Then the next week, everything I worked for (for) the past umpteen years was down the drain at one time.[30]

Charren's forecast was correct, Fowler's deregulatory philosophy to "demystify broadcasting and to remove it from the guarded realm of public trust to freewheeling marketplace of private commerce" did cause the eventual demise of the regulatory inquiry into children's programming initiated by ACT in 1971.[31]

The inquiry into children's television was ended because Fowler's deregulatory philosophy also meant he denounced any "social agenda" propelled by the FCC. Fowler said "we (the FCC commissioners) need to shift from a social agenda to a technical agenda aimed at getting government out of the way." Included in the "social aspects" of broadcasting was any regulation for children's television.[32] Under his tenure, the FCC would not be paternalistic and had to "get away from this public trusteeship notion that has confused us for so many years . . . the idea that the airwaves belong to the people. If the airwaves truly belong to the people, then all that content regulation should be gone."[33]

Fowler did think there was a compelling need for quality children's television on the airwaves, but it was impossible for the FCC to mandate a standard for children's programs. [34] The chairman resolved that "there is a societal need for children's programming, but Government has no business requiring it."[35] He applauded the good in some prime time programs saying, "(I)t seems to me there is enough programming for children with shows like *Little House on the Prairie* and *The White Shadow*. These are good wholesome programs."[36] Fowler said parents should do as he does as a parent and recognize that they have a responsibility to oversee what children watch. Once parents

monitor what their children are watching they can decide whether or not to support that program. He, for example, enjoyed watching the musical television program *Fame* with his daughter. If parents used marketplace censorship, they could boycott the offending programs, which would deter advertisers and force to programs' producers to change the content. [37]

While Fowler's marketplace philosophy pleased most broadcasters, it only served to frustrate Charren and ACT.[38] In Charren and Fowler's first meeting, Fowler tried to explain the virtues of the marketplace philosophy. Charren was not receptive. Charren told Fowler

> The FCC cannot rely on the marketplace to provide enough television designed for children. In the commercial broadcasting numbers game, children are not a significant audience. They have no voice and no independent buying power.[39]

Charren also bristled at Fowler's suggestion that ACT stop trying to pressure the FCC, but should focus its attention on the advertisers. Fowler suggested that ACT's constituents threaten to boycott advertisers who bought time on offending programs. Charren responded she was outraged because she said, "Here I came down to this meeting on ACT money to help the FCC understand our position only to be told that we out to organize a boycott. I had to pull myself together to keep from screaming at someone."[40]

This suggestion was particularly pointed to Charren. Citing First Amendment reasons, ACT was a leading opponent of the preexisting boycotts led by conservative groups such as the Coalition for Better Television and the Moral Majority. In fact, ACT began a national petition signing campaign against these advertiser boycotts.[41] The petition read

> We the undersigned wish to express our deep concern and protest of the New Right crusade now being conducted by the Moral Majority and the Coalition for Better TV to purge television of program content they deem offensive. We want broadcasters to know that we support citizen action to expand television viewing options for the American public, particularly children. We believe, however, that the censorship tactics of the Coalition for Better TV limit options and threaten the free exchange of ideas in a free society.

The petition, signed by composer Leonard Bernstein and actress Mary Tyler Moore, was sent to the broadcast networks.[42]

Regulatory Action

Since Reagan appointed Fowler to the FCC, the agency had not addressed the still open inquiry on children's television. The children's television docket, 19142, had remained untouched since the FCC's 1978 task force's inquiry was abandoned after Reagan's election in 1980. In 1982, the U.S. Court of Appeals, at ACT's request, demanded that the reluctant FCC put an end to the FCC's "foot-dragging" on addressing the children's television issue.[43]

In March of 1983, the FCC issued a public notice asking for comments regarding children's television. The six members of the FCC heard the testimony of witnesses with arguments for and against increasing educational content of television the following month. Witnesses included the National Education Association and Peggy Charren, who cited the inadequacies in the FCC's justifications for possibly repealing the 1974 statement. Pursuant to the public notice, ACT submitted a phone survey of 15 commercial owned and operated TV stations. In the phone surveys, conducted in April of 1983, the group inquired about the regularly scheduled local and syndicated children's series broadcast by each station. ACT found that none of the stations surveyed offered a regularly scheduled weekday program for children.[44]

Network and local broadcasters testified and presented statistical and methodological errors in the studies used in the 1978 Task Force Report. NBC's representatives maintained that the network was airing a substantial amount of children's and "family programs" on its NBC Television Network and its owned stations.[45] ABC's submitted that children's educational needs could be met through a variety of programs, not just programs specifically created for them. Representatives from the network stated that

> language in the policy statement suggesting special status for educational or instructional programming for children should be deleted. Rather the commission should recognize that it is neither practical nor desirable to attempt discrete categorization of programming.[46]

CBS declared broadcasters had been making a "most significant effort to serve children." There was an abundance of programming on for children. The number of programs would certainly increase once emerging video technologies continued to develop.[47]

In 1984, after considering the comments from all concerned parties, the commission repealed the 1974 statement and closed Docket 19142, the Children's Television Programming and Advertising Practices. In a large address, the FCC reminded the broadcast stations that while programming guidelines applicable to television programming were eliminated, television broadcasters were still required to operate under a "general obligation to address issues of concern to their communities."[48]

One of the main reasons the FCC gave for the rescission was that it deemed the 1974 guidelines unnecessary because of several alternative video sources and technology to commercial broadcasting. One source was public television. Children had been watching educational programming staples like *Sesame Street* and *The Electric Company*

on public television for over a decade.[49] Its success was due, in large part, to the funding it received from the government.[50] However, public television was thwarted in its efforts to fund more educational programming in the early 1980s. In 1981, PBS planned to bring 37 hours of new programs for young viewers to its member stations across the country.[51] However, under new budget appropriations, the federal funding of public broadcasting was cut by $62 million over four years—25 percent of its usual allotment.[52] The fluctuating funding of the public broadcasting system made it an uncertain source for children's programming.[53]

Another video service the FCC listed as an alternative to broadcasting was the cable television industry. The cable television industry was a burgeoning media outlet by 1984. It was estimated that 35.8 million homes or about 42.5 percent of the American households had cable television and that number was expected to reach some 58 million by 1990.[54] Parents who bought cable television were able to offer their children a variety of cable networks, including Nickelodeon. When Nick started the network it aired from 7 a.m. to 8 p.m. By 1983, Nick was carried on 3,000 cable systems and had access to 18 million homes.[55] One of its most vocal proponents was Peggy Charren, who applauded by saying,

> Nickelodeon deserves every award it's gotten. It is a microcosm of what television for children should be. It has diversity. It's like a library that has comic books on the shelves but also has biographies of sports figures and how-to books.[56]

Nickelodeon's programs ran the gamut from science shows to teen discussion programs to comedy designed to capture the teen audience.[57] *Pinwheel*, Nickelodeon's first stand out program was directed to educate a pre-school audience and ran daily from 8 a.m. to 2 p.m.[58] The program was not intended to be used as an all day baby-sitter, but

so children could watch for a few minutes and "float in and out" of the show. Nick did not accept advertising so it relied on subscriber fees to produce 60 percent of its programs.[59]

Warner Amex, parent company of Nickelodeon, MTV, and The Movie Channel, paid for Nick's upkeep. The company lost an estimated $30 to $40 million in 1982 on these cable services.[60] While the programming was reaching an ever-widening audience, Nick was in danger going into financial ruin. As a result, Nick began accepting advertising in 1983.

Another cable network, The Disney Channel, offered an entire menu of programs addressed to various age groups. [61] Among the educational programming available on the Disney Channel were *Five Mile Creek*, a program based on a series of children's books and *You and Me, Kid*, a show that instructed parents and children's to participate in activities together.[62] Disney was then an upper-tier pay channel where subscribers paid $8 to $10 a month above their standard cable rate for the service.[63] The network had an already established Disney film library and made an investment of $100 million in new programs.[64]

Although the programs *Welcome to Pooh Corner* and *Dumbo* seemed innocuous, the Disney Channel faced several critiques about violence. One study done revealed that only "27 percent of the cartoons and 68 percent of the other shows on Disney were deemed appropriate for children."[65] Among the violent scenes was "Donald Duck fastening his noisy nephews' bills shut with clothespins."[66] Besides the somewhat violent content, another drawback was the cost involved in pay television. Charren

accused the FCC's reliance on cable television to educate children as "discriminating against the poor"[67]

Satellite television offered many of the same networks provided by cable television and more. This technology served as a conduit bringing distant television programs to homes around the world. By 1985, there were approximately 400,000 families who paid between $3,000 and $10,000 for satellite service. Estimates predicted that ownership of the dishes was growing at an annual rate of 300 percent. The usage of dishes grew so fast, that municipalities hastened to create aesthetic ordinances fearing the proliferation of the unsightly receivers in neighborhood backyards.[68]

Critics of the technology doubted the effectiveness of the satellite service to serve the educational needs of children. Congressman Timothy Wirth (D-Colorado) did not believe that satellites were "sufficiently established to provide the diversity necessary for a true marketplace. (The services) are not yet at the point where the level of competition in video is sufficient to deregulate television broadcasting."[69] In other words, the FCC's suggestion that satellites could supplement broadcast services in providing educational television was faulty. The system was not advanced enough to serve an audience as wide as the one watching commercial broadcasting.

The far superior quality of the picture and the greater number of available channels were draws over cable television, yet, perhaps because of the cost or the ugliness of the eight to twelve-foot eyesores, the satellite dish's popularity was eventually overshadowed by cable television.

The FCC also pointed to videotape technology as an expected alternative for children's commercial television. In the 1980s, television viewers had two non-

compatible machines available that allowed viewing and recording videotapes. The cost of the Beta and VHS machines ranged from $500 to $1,300. Both types of machines allowed consumers to record a program from their home televisions and view them at a later time. For the cost of an $8 tape, viewers could record a program aired on the networks for use later in the day. This service allowed parent's to shift the time of a program to a time more convenient for children to watch. [70]

Videotapes also allowed parent's to purchase or rent educational videos for children. The success of videotape recorders (VTR's) led to the increase of videotapes available for purchase. Actress Shelley Duval produced a series of dramatic adaptations based on the children's book, Cinderella.[71] Another videotape service, VidAmerica, produced a series of biographies of famous inventors including the Wright Brothers and Thomas Edison. These tapes were available at $40 for each 45-minute video.[72] Paramount Video produced a 3-minute video, "Strong Kids, Safe Kids" to educate children on protection from abuse and abduction.[73] These types of long-running educational programs were not found on commercial television.[74]

The aforementioned alternatives for children's media were each effective, but critics listed several drawbacks that often made them an impractical choice to educate all children.[75] ACT, one of the most vocal of critics, listed its concerns with the new media in a statement addressing the Notice for Proposed Rulemaking in May of 1983. First, the legal obligation to serve children should not be shifted to the aggregate television market. The television licensee should be accountable to the public and the FCC regardless of what public television offered. Also, the new technologies the FCC listed as alternative sources of children's educational media were not under any public interest requirement to

do so. Therefore there was no guarantee that the services would provide the expected content.[76]

Changes in Children's Television

As a result of the relaxation, broadcasters were free to alter their programming schedules in an effort to grab the highest ratings. As a result, the types of children's programs shifted from the mild ratings of the educational programs from the 1970s to hugely successful non-educational programs, like action-adventure programs or news based programs made for adults[77]

There were several examples of this programming shift. CBS moved *Captain Kangaroo* and his friends Mr. Greenjeans and Grandfather Clock, from its weekday morning slot to 6 a.m. Saturday and Sunday before it was canceled in 1984.[78] In its place, CBS aired a morning news program, *This Morning*, to serve an adult audience that was attractive to advertisers. ABC replaced its Emmy Award winning program, *Animals, Animals, Animals* with *This Week with David Brinkley.* [79] Other educational programs taken off the air were NBC's show for teens, *Project Peacock* which dealt with suicide, drug use, and death, and ABC removed the award-winning program *Kids are People Too* from its lineup.[80]

These networks canceled several of their educational programs that were not profitable and replaced them with shows that had a built-in audience.[81] The controversy over the cancellations can be illustrated in one of the canceled programs was NBC's *In the News*. This mildly rated news program was canceled even though a Gallup survey of 1,010 teenagers reported that 90 percent said the series had taught them about the world.[82]

Programs such as *In the News* were replaced in favor of children's shows based on prime time adult programs and video games. Animated versions of *Laverne and Shirley*, *Happy Days* and *The Gary Coleman Show* featured characters that were extremely popular during prime time. In an ultra-surreal twist, *Gilligan's Planet*, featured the *Gilligan's Island* characters of Gilligan, Mary Ann, and the other castaways off the island and stranded in outerspace.[83] CBS Saturday mornings, titled "Supercade"[84] resembled video arcades with shows derived from the games *Pac Man, Donkey Kong,* and *Frogger.*[85]

After the repeal, the networks tried to offer some educational material in the form of short educational segments. NBC's *One to Grow On* which offered short vignettes on teen dating.[86] ABC's *Schoolhouse Rock* was "dropped in" during Saturday morning commercial breaks to teach children the Preamble of the United States and that the "function of a conjunction is to be a junction."[87] NBC's and ABC's short spots were sandwiched between innocuous programs like the small blue woodland gnomes *The Smurfs,* the small multicolored sea gnomes, *Snorks,* and the furry jungle creatures *The Monchhichis.*[88] Many producers during this period tried to mirror great success of *The Smurfs* by offering a slew of similar shows appeared featuring cute characters. Each week the adorable characters used kindness and ingenuity to triumph over the same villain, like the evil *The Smurfs'* sorcerer Gargamel, in every episode.[89]

The unveiling of the 1985-1986 television season revealed a new style of children's programming. That season's offerings were determined to be

> backing away from the pro-social kick of the past few years when just about everything. . . had to have so overt social message. The opposite of that is mindless violence and horror; but the networks aren't fools and the Saturday

> offerings . . . are nothing of the sort. They are simply meant to entertain, if not necessarily to stimulate thinking, but there is nothing here that can harm either."

Most of the eight new cartoons of the Fall 1985 Saturday morning television season reflected the change. In CBS *Hulk Hogan's Rock 'N' Wrestling* wrestler Hulk Hogan and his fleet of cars were pitted against Soviet villains. Walt Disney offered two new programs: *The Gummi Bears*, animated chewy fruit candies, fought evil in medieval times and *The Wuzzles*, a cartoon featuring hybrid animals, was termed "unimpressive" and "odd". These programs aired on NBC and CBS respectively.[90] NBC's September 14, 1985, premiere of its Saturday morning program *Punky Brewster* doubled NBC's prime time share of the week.[91]

These network offerings during this time were not violent and were termed "softer" programs. Vice president for children's programming at CBS Judy Price, said animated network programs should not be "lumped" together with increasing violence on animated syndicated programs. The syndicated programs "tend to operate without the same sense of purpose . . . and with more violence."[92] Independent commercial stations often leased the purposeless and violent animated syndicated programs.

Independent commercial stations, not affiliated with the big three money-making networks, had to program their stations on a small budget and they usually bought inexpensive programs to save money. Innovation was expensive so older cartoons such as *Tom and Jerry*, *The Flintstones*, and *Archie* were re-run and subsequently became the most popular programming in the early to mid 1980s.[93] Of course, the old programs are new to a "significant portion of the child audience . . . *The Flintsones* had been in syndication for over 15 years. With clearances in 99 markets representing over 75% of

the U.S. . .this program can hardly be considered old, tired and unattractive. In fact, *Flintstones* was higher ranked in 1984 than it was nice years ago. [94]

As the decade continued, however, the relationship between the independent programmers and producers became more sophisticated. There were several incarnations of these syndication arrangements. Program producers would lease or syndicate the independents' shows at a cheaper price or allow them to earn money, if the station agreed to air some pre-packaged commercials with the programming. Often, the commercial would sell a toy affiliated with the program, which created a program-length commercial.[95]

According to Charren, the "nasty" practice of product-based programs would never happen on adult television because adults "wouldn't stand for it."[96] The practice was simply discriminatory.[97] Further, ACT formally condemned these bartering plans in a press release saying the arrangements gave the broadcasters "a position where self-interest in profit sharing from product sales works against the programming interests of the audience."[98] In the same news release, Charren chastised the FCC for the increase of these profit sharing arrangements. She said that the FCC "under this (the Reagan and Fowler) administration is turning a blind eye to abuses in commercial children's television . . . the FCC has done nothing, that practice is proliferating."[99]

One of the first successful syndicated program-length commercials was the animated *He-Man and the Masters of the Universe*. He-Man was a prince who practiced "sword-sorcery" to battle the consistently evil Skeletor.[100] In an advertisement placed in *Broadcasting* magazine, the show was headlined: "the toy of the year is about to become the animated show of the year!" The spot was very clear in saying that the show was

based on the "best-selling Mattel action figures" and had won the industry's Toy of the Year Award.[101] The *He-Man* toy line featured in its own television series earned $350 million in sales in 1986.[102]

In the 1985-1986 television season 10 of the 19 new programs were designed to promote toys, not educate children.[103] Programs like *Thundercats, He-Man,* and *Transformers* all aired commercials for their products. Another toy/program was the muscular gun carrying Rambo was billed as being a nature lover.[104] By the 1986 season, 12 of the top 24 children's programs were toy-affiliated programs. Only one of the programs, *Fat Albert,* was not affiliated with a major toy manufacturer. This program about a group of friends in an inner city neighborhood was the 24th on Nielsen's rating list of 24 programs.[105]

Aside from the commercialization of children's programs, there were several facets of the programming that concerned parents. In an effort to get a large audience, program producers tried to "homogenize" children's television programs, making the characters as simple and "one-dimensional" as possible.[106] The characters often used violence instead of skill or wit to solve problems. Of particular concern was the weapon-totting *He-Man*, his sister *She-Ra*, and *Rambo*.[107]

By 1987, children were watching television more than ever before. Academic research showed that children between the ages of two and 12 watched an average of 25 hours of television a week.[108] Statistics such as these, spurred ACT to continue working for children's television regulations. In January of 1987, ACT filed a lawsuit with the United States Court of Appeals for the District of Columbia on behalf of ACT's 20,000 members. In the petition, ACT requested that the FCC justify its deregulatory efforts and

review its 1984 decision to deregulate the content of children's television.[109] The court's unanimous decision directed the FCC to explain why it eliminated its children's television policy in 1984 when, in 1974, the FCC thought it was necessary. In its opinion the court opined,

> The Commission has offered neither facts nor analysis to the effect that its earlier concerns (the 1974 Policy Statement) over market failure was overemphasized, misguided, outdated, or just downright incorrect . . . Instead, without explanation, the Commission has suddenly embraced what has theretofore been an unthinkable bureaucratic conclusion that the market did in fact operate to restrain the commercial content of children's television.[110]

In response, the commission released a Notice of Inquiry on November 9, 1987, seeking comments about the overcommercialization in children's television. In light of the growing congressional interest in children's television legislation and Mark Fowler's resignation from his chairmanship, the FCC scheduled no further action regarding the inquiry.[111]

The End of Fowler

Frustrated by the change she saw occurring in television, Charren sought help from another source. Charren said,

> In the 1980s, it (regulation) was impossible. In fact, that was when we went to Congress. The FCC was a do nothing group in terms of the public interest, it undid everything that was protecting the public's right to access, choice, and diversity. So we went to Congress and that's how we got the law. [112]

However, ACT would not have much longer to deal with the FCC headed by Mark Fowler.

Although it was expected that Reagan would have renominated him as FCC commissioner, Fowler recognized that his Democrat-controlled Senate confirmation would have been an "uphill," albeit successful, battle.[113] ACT's primary nemesis

submitted a letter of resignation to President Reagan January 16, 1987. The letter said he had achieved much of his agenda for "freeing the electronic press so that it becomes as free as the print press." He also was satisfied with the FCC, under his guidance, doing away with some policies that governed the broadcasters.[114] Fowler proclaimed that his FCC, "accomplished basically what we (the FCC) set out to do and now it is time for me to move along."[115]

Fowler's resignation was met with mixed reviews. NBC chairman Julian Goodman lauded Fowler as an "outstanding chairman" who brought numerous changes that improved broadcasting. A former president of CBS News, Fred Friendly, held an opposing view saying that he "shed no tears at the resignation." Friendly also commented that it was a "tragedy that he was the head of the FCC."[116]

In the three years after Fowler's departure, Charren was able to assist Senators Timothy Wirth, Edward Markey, and Congressman Frank Lautenberg get some children's television act passed in 1990. The resultant Children's Television Act of 1990 (CTA)] included a provision setting commercial limits for broadcaster. The law also eliminated program-length commercials, and instructs broadcasters to air some educational programming. These stipulations are what Charren and ACT hoped would force the FCC to regulate broadcasters service of the child audience.

As the next chapter shows, even though there were some members of Congress who supported Charren and ACT's claims for improved children's television, the process was not a easy. Facing opposition from broadcasters, the FCC, and the White House, the eventual Children's Television Act of 1990 forced ACT to compromise nearly all of its desired guidelines.

Notes

1. Ernest Holsendolph. Are children no longer in the programming picture? *The New York Times,* 25 June 1982, B21.

2. Watching our for the programs children watch. *Broadcasting,* 23 September 1985, 41. Bob Keeshan also attributed the cancellation of other children's programs to the "higher incomes" of adults audiences versus the incomes of their children.

3. Geoffrey Colvin. "Children are getting hard to find." *Fortune*, 12 May 1983, 125.

4. Geoffrey Colvin. "Children are getting hard to find." *Fortune*, 12 May 1983, 125.

5. In the Matter of Children's Television Programming and Advertising Practices, 96 FCC 2d 634 (1984).
6. Les Brown. CBS reports sharp dip in Saturday morning ads. *The New York Times*, 15 May 1975.

7. Peggy Charren, interview by author, 19 October 1998, tape recording.

8. In the Matter of Children's Television Programming and Advertising Practices, 96 FCC 2d 634 (1984).

9. Meanwhile, the commission had received 8,000 comments from those in favor of the 1974 policy statement instructing the broadcasters to serve the needs of children. Three of the 150 dissenting comments came from the broadcast networks. In the Matter of Children's Television Programming and Advertising Practices, 96 FCC 2d 634 (1984).

10. ABC, as expected, joined NBC and CBS. Washington Post, June 17, 1980, B8.

11. CBS Kidvid Comments. Washington Post, June 12, 1980,D12.

12 NBC gets specific about flaws in FCC report on children's TV. *Broadcasting* v. 98, n. 75. May 19, 1980.

13. F. Earle Barcus. Weekday, Daytime Commercial Television Programming for Children. September 1981.

14. Marc Allen Eisner. *Regulatory Politics in Transition.* Johns Hopkins University Press: Baltimore, 1993. Deregulation was initiated under the Carter administration, the presidency previous to the Reagan administration. Deregulation of the broadcast media, especially as it applied to ACT began under the Reagan administration.

15. Robert Hilliard. Federal Communications Commission. Focal Press: Boston, 1991.

16. Marc Allen Eisner. Regulatory Politics in Transition. Johns Hopkins University Press: Baltimore, 1993.

17. Peggy Charren, interview by author, 19 October 1998, tape recording.

18. Peggy Charren, interview by author, 19 October 1998, tape recording.

19. F. Leslie Smith, Milan Meeske, and John Wright. *Electronic Media and Government.* White Plains: Longman Publishers, 1995.

20. Why TV is being freed from heavy hand of government. *U.S. News World Report,* 23 July1984, 47.

21. Richard Stengel. Evangelist of the Marketplace. *Time,* 21 November 1983, 58.

22. Why TV is Being Freed from Heavy Hand of Government. *U.S.News & World Report*, 23 July 1984, 47.

23. Richard Stengel. Evangelist of the Marketplace. *Time*, 21 November 1983, 58.

24. Gerald Flannery. The FCC Commissioners.

25 Richard Stengel. Evangelist of the Marketplace. *Time*, 21 November 1983, 58.

26. Clemons J. Work. A Look at FCC's Fowler: Apostle of the Free Market. *U.S. News and World Report*, 13 May 1985, 66.

27. Nomination—Federal Communications Commission: Hearings before the Committee on Commerce, Science, and Transportation. U.S. Senate 97th Congress May 1, 1981. The hearings contain a biographical sketch of Fowler as an appendix.

28. Reagan Campaign Adviser Fowler Nominated as Head of FCC. *The Washington Post,* 14 March 1981, A3.

29. Merrill Brown. Fowler: FCC is No Censor. *Washington Post*, 27 June 1981, D7.

30. Peggy Charren, interview by author, 19 October 1998, tape recording.

31. Peter J. Boyer. Under Fowler, FCC treated TV as commerce. *Washington Post*, 19 January 1987, C15.

32. Merrill Brown. Fowler: FCC is no censor. *Washington Post*, 27 June 1981, D7.

33. Raymond L. Fischer. Who's Tampering with the Public Interest. *USA Today* 7 May 1985, 57.

34. Why TV is Being Freed From Heavy Hand of Government. *U.S. News & World Report*, 23 July 1984, 47.

35. Richard Stengel. Evangelist of the Marketplace. *Time*, 21 November 1983, 58.

36. Judy Mann. Kangaroocide. *The Washington Post*, 18 March 1983, B1. Little House on the Prairie was a show based on the life of Laura Ingalls Wilder. The show dealt with her life in the 19th Century. The White Shadow featured a predominately black high school basketball team and their white coach. The program had been off the air for a year before Fowler said he liked it.

37. Why TV is Being Freed From Heavy Hand of Government. *U.S.News & World Report*, 23 July 1984, 47.

38. The Revision of Programming and Commercialization Policies, Ascertainment Requirements, and Program Log Requirements for Commercial Television stations, 98 FCC 2d 1076 (1984). In the text of the proceedings, broadcasters from the three networks express their agreement with lax regulations regarding children's programming. ACT's frustration with the legality of the rules can also be seen in the proceedings. A representative from the American Broadcasting Company said "The obligation to serve children should be coupled with a renewed emphasis on licensee discretion."

39. Take a page from the right, Fowler tells Charren. *Marketing & Media Decision*, 21 March 1982, 52.

40. Take a page from the right, Fowler tells Charren. *Marketing & Media Decision,* 21 March 1982, 52.

41. Children's TV Group Fights Moral Majority. *The New York Times.* March 23, 1981. ACT also requested that concerned citizens speak out against the blacklisting of the programs.

42. ACT Petition Hits Moral Majority. *Variety*, 20 May 1981.

43. Suit Asks Children's TV Rule. *New York Times,* 19 March 1982, C27.

44. In Matter of Children's Television Programming and Advertising Practice, Docket No. 19142. Action for Children's Television Study, 1983.

45. In Matter of Children's Television Programming and Advertisng Practices. Docket NO. 19142. Supplementary Comments of National Broadcasting Company, Inc. March 28, 1983. Broadcasters suggested that any television studies should count "family" or general audience programming in considering children's fare.

46. Too little or just enough? *Broadcasting*, 9 May 1983.

47. Too little or just enough? *Broadcasting*, 9 May 1983.

48. The Revision of Programming and Commercialization Policies, Ascertainment Requirements, and Program Log Requirements for Commercial Television Stations, 98 FCC 2d 1076 (1984).

49. Neil Postman. Amusing Ourselves to Death. (New York, NY: Penguin Books, 1986). *Sesame Street* premiered in 1969. Children enjoyed the show because the short vignettes featured on the program were similar to television commercials.

50. F. Leslie Smith, Milan Meeske, and John Wright. *Electronic Media and Government.* (White Plains, NY: Longman Publishers, 1995). In 1967 Congress passed the Public Broadcasting Act. Broadcasters used money issued to appropriate programs produced by the Corporation of Public Broadcasting, the producer of the programs.

51. Holsendolph, Ernest. "Are Children No Longer in the Programming Picture," *New York Times* 25 July 1982, B21.

52. Schwartz, Tony. "Four Possible Ways out of Public TV Crisis" *New York Times*, 17 May 1981, 1.

53. Children's programming: How much is enough. *Broadcasting*, 17 October 1983, 38.

54. 98 F.C.C.2d 1076. (1984).

55. Steve Schneider, "Nickelodeon Branches Out." *New York Times*, 30 June 1985, B22.

56. Steve Schneider, "Nickelodeon Branches Out." *New York Times*, 30 June 1985, B22.

57. These programs were *Mr. Wizard's World, Live Wire,* and *You Can't do that on Television*, respectively.

58. John Carmoody,. *The Washington Post*, 19 May 1983 C16.

59. Aljean Harmetz, "Action Group Aroused by Nickelodeon Ad Plan" *New York Times*, 14 February 1983, C17.

60. Aljean Harmetz, "Action Group Aroused by Nickelodeon Ad Plan" *New York Times*, 14 February 1983, C17.

61. Siemicki, Michele, David Atkin, Bradley Greenberg and Thomas Baldwin. "Nationally Distributed Children's Shows: What Cable TV Contributes." *Journalism Quarterly* 63 (4) 710-718; Thomas C. Hayes. Disney's cable TV challenge, *The New York Times*, 15 February 1985, D1.

62. "Disney TV is Called Violent." *New York Times,* 24 April 1984, C8.

63. Bedell, Sally. "Disney Channel to Start Next Week." *New York Times,* 12 April 1983, C17.

64. Bedell, Sally. "Disney Channel to Start Next Week." *New York Times,* 12 April 1983, C17.

65. "Disney TV is Called Violent." *New York Times,* 24 April 1984, C8.

66. "Disney TV is Called Violent." *New York Times,* 24 April 1984, C8.

67. FCC to Strip Kiddie Regs, *Variety*, 28 December 1983, 25.

68. "Satellite Dish Vies with Cable." *New York Times* August 9, 1985, C18.

69. Sally Bedell, "An FCC Chief in an Era of Broadcast Change." *New York Times, 83.*

70. "Two Types of Video Recorders." *New York Times,* 3 July 1983 I 31.

71. "Classics on Cassettes: Fairy Tales, Chekhov and a Chiller," *New York Times* 22 January 1983, B24.

72. "The Boy who Lit up the World." *New York Times,* 29 January 1984, B22.

73. "Wave of Videocassettes Sweeps into U.S. Homes," *U.S. News and World Report*, 23 July 1984.

74. The onslaught of these new technologies contributed to the decline in the broadcast network's audience. Wave of Videocassettes Sweeps into U.S. Homes, *U.S. News and World Report*, 23 July 1984.

75. Among those who took issue with the alternatives listed was the National PTA.

76. In the Matter of Children's Televisoin Programming and Advertising Practices, 13 May 1983.

77. John J. O'Connor. TV" 'Great Space Coaster,' New Children's Show. *The New York Times*, 18 February 1981; C31. A month after his appointment The Great Space Coaster, a program "designed to delight youngsters while meeting the expectations of consumer groups, parents and educators for progressive new programming" was a 30-

minute syndicated program produced to compete with *Sesame Street.* But programs like these were rare.

78. Timothy Burke and Kevin Burke. *Saturday Morning Fever*. (New York, NY: St. Martin's Griffin, 1999).

79. Judy Mann. "Kangaroocide," *The Washington Post*, 18 March 1983 B1.

80. "Kidvid: A National Disgrace," *Newsweek*, 12 October 1983, 82.

81. "ABC Kidvid Series to use 3-D Effects," *Variety*, 25 April 1984, 70. ABC introduced three gimmick based half-hour shows with two featuring 3-D effects and one based on music videos; "CBS-TV to Preem four Kidvid Shows," *Variety,* 25 April 1984, 70. CBS offered updated versions of *Peanuts* in *The Charlie Brown & Snoopy Show* and Jim Henson's *Muppet Babies.*

82. Sally Bedell, "Network News for Children: Orphan of the Ratings Storm," *New York Times*. 20 March 1983, D20.
83. Edward L. Palmer, *Children in the Cradle of Television* (New York, NY: Oxford University Press, 1988).

84. "CBS-TV to Preem four Kidvid Shows," *Variety*, 25 April 1984, 80.

85. "Kidvid: A National Disgrace," *Newsweek*, 12 October1983, 82.

86. Edward L. Palmer, *Children in the Cradle of Television* (New York, NY: Oxford University Press, 1988).

87. Timothy Burke and Kevin Burke. Saturday Morning Fever, (New York: St. Martin's Griffin, 1999). ABC also dropped in the Latin American pop music group Menudo who sang in English and Spanish and Cap'n O.G.Readmore who promoted reading. "Webs Back off violence in Saturday Kidvid Sked; ABC goes for education." *Variety*, 5 October 1983, 42.

88. Timothy Burke and Kevin Burke. *Saturday Morning Fever* (New York: St. Martin's Griffin, 1999).

89. Sandra Salmans. "Why Saturday Morning is One Big Cartoon Ghetto," *The New York Times*, 25 August 1985, H21.

90. "Saturday Morning Wakeup Call: Lucasfilm Inspires; Others Don't." *Variety*, 25 September 1985, 58.

91. "NBC Dominates Kidvid Premieres," *Variety*, 25 September 1985, 58. The NBC network 's had dominated Saturday morning in the two previous seasons.

92. New kids in the animation blocks. *Variety*, 4 November 1985, 44.

93. Holsendolph, 21. As of November of 1984, *The Flintstones* had been syndicated for over 15 years and had clearance in 99 markets representing over 75% of the U.S. Jack Irving. Syndicated children's programming: is new really better? *Marketing & Media Decisions*, 27 November 1984, 90.

94. Jack Irving. Syndicated children's programming: is new really better? *Marketing & Media Decisions*, 27 November 1984, 90.

95. ACT mores to Prevent TV Stations from Sharing Product Profits in Exchange for Airing Product-Related Programs. ACT News Release, 25 June 1984.

96. Fred M. Hechinger, "TV's Pitch to Children," *The New York Times*. 17 March 17 1987, C9.

97. Michael deCourcy Hinds, "Consumer Groups' Dishonor Roll of '87," 5 December 1987, A56.

98. ACT mores to Prevent TV Stations from Sharing Product Profits in Exchange for Airing Product-Related Programs. ACT News Release, 25 June 1984.

99. ACT Moves to Prevent TV Stations from Sharing Product Profits in Exchange for Airing Product-Related Programs. ACT News Release, 25 June 1984. That same day ACT urged the FCC (unsuccessfully) to adopt a rule prohibiting the profit sharing arrangements.

100. Timothy Burke and Kevin Burke, *Saturday Morning Fever*, (New York: St. Martin's Griffin, 1999).

101. Advertisement, *Broadcasting*, 14 March 1983.

102. Peter Boyer" Toy Based TV: Effects on Children Debated," *The New York Times*, 3 February 1987, A1.

103. Kunkel, 100.

104. Glenn Collins, "Controversy about Toys, TV Violence," *The New York Times*, 12 December 1985, C1.

105. Advertisement, *Broadcasting*, 26 January 1986, 123. Other programs on the list were *Transformers, G. I. Joe, He-Man, She-Ra, Mask, Challenge, GoBots, Plasticman, Rainbow Brite, Jayce and Warriors, Robotech, Voltron, Care Bears,* and *Strawberry Shortcake.*

106. John O'Connor, "The 'Vast Wasteland,' 25 Years Later," *The New York Times*, 4 May 1986, B29.

107. Glenn Collins, "Controversy about Toys, TV Violence," *The New York Times*, 12 December 1985, C1.

108. Jane E. Brody, "Personal Health," *The New York Times*, 31 January 1987, C15.

109. "Court Orders FCC Review of Policy on Children's TV," *The New York Times*, 27 June 1987, A52.

110. Action for Children's Television v. F CC, 821 F. 2d. 821 at 741, 26 June 1987.

111. Children's Television Practices Act of 1988. House of Representatives Report 100-675. The Children's Television Practices Act of 1988's short title was the Children's Television Act of 1988. However, for purposes of clarity the present document will refer to it using the full name.

112. Peggy Charren, interview by author, 19 October 1998, tape recording.

113. Reginald Stuart. "Fowler, Chairman of FCC for Five Years, is Resigning," *The New York Times*, 17 January 1987, A14.

114. Reginald Stuart. "Fowler, Chairman of FCC for Five Years, is Resigning," *The New York Times*, 17 January 1987, A16.

115. Reginald Stuart. "Fowler, Chairman of FCC for Five Years, is Resigning," *The New York Times*, 17 January 1987, A16.

116. Reginald Stuart. "Fowler, Chairman of FCC for Five Years, is Resigning," *The New York Times*, 17 January 1987, A16.

CHAPTER 7
THE CHILDREN'S TELEVISION ACT AND THE END OF ACT

In December 1992, Peggy Charren closed ACT's Cambridge, Massachusetts doors for the last time. Charren attributed the end of ACT to the passage of the Children's Television Act of 1990. Charren reasoned that "(f)or more than 20 years ACT has tried to get the public-interest laws the govern broadcasting to apply to children. . . . With the passage of the 1990 Children's Television Act, this goal has been achieved. People who want better TV for kids now have Congress on their side."[1]

The Children's Television Act of 1990 (CTA) had two components that addressed ACT's initial concerns of over-commercialization and the lack of educational content on children's television. First, the CTA required that broadcasters air no more than 12 minutes of commercials on weekdays and 10.5 minutes on weekends. Second, it mandated that broadcasters must serve "the educational and information needs of children through the licensees' overall programming, including programming specifically designed to serve such needs."[2]

The CTA was Congress's reaction to the past decade of inactivity at the FCC. While the FCC of the 1980s deregulated children's television, several U.S. congressmen had sided with ACT's pleas for regulation. These congressmen sponsored legislation that forced the FCC to address broadcasters' programming for children. Once the CTA was legislated, the FCC was mandated to make rules for broadcasters to comply with in order to keep their licenses.

This chapter will address the development of the CTA in the Congress from 1985 until the final version in 1990, as well as how the FCC implemented the CTA's rules between 1990 and 1996. This chapter also will discuss how the CTA and its subsequent rules compare with the rules ACT requested some 20 years earlier. Although there are few similarities between the Children's Television Act and ACT's initial petition to the FCC in 1971, the CTA convinced Peggy Charren that her organization would no longer be needed to make "TV an 'Aladdin's lamp', instead of a 'Pandora's box'."[3]

Congressional Action

For some, it seemed the legislative history of the Children's Television Act was a long, but necessary process. The process began in the mid-1980s as a reaction to the FCC's inaction regarding children's television. An editorial in *Advertising Age* stated, "Although it takes the American public a while to react to excess, reaction is sure to come and many more voices will be heard." *Captain Kangaroo* star Bob Keeshan agreed, "The pendulum always swings in this country. All we ask is that the country have the well-being of the children—our future—in mind."[4]

While FCC was adopting a deregulatory approach in the 1980s, several members of the United States Congress were attempting to circumvent the FCC's efforts.[5] For example, House Rep. Timothy Wirth (D-Colo.) and Sen. Frank Lautenberg (D-N.J.) introduced bills legislating children's television to their respective colleagues.[6] After the FCC rejected ACT's requests for reconsideration of the FCC's deregulatory activities in 1983, Charren proclaimed that "(t)he FCC doesn't *have* to do anything, but if they don't, the courts and Congress will go get them."[7] She "hoped there would be a 'marketplace' in Congress to deal with specific issues related to children's television."[8] Charren said

she would "turn her attention to urging Congress to address itself to children's television programming, especially the increasing use of program-length commercials aimed at children."[9]

Representative James Bates of California affirmed that Congress, unlike the FCC, would actively take an interest in children's television. Speaking at the First International Conference on Children and the Media, Bates said,

> The FCC has justified its unwillingness to regulate children's television by continually pointing to marketplace theory, promising that given a chance the marketplace will work better than any regulatory approach, but history shows that the marketplace consistently fails to work for children.[10]

Bates encouraged members of Congress to hold hearings to create a proposal to amend the Communications Act of 1934 to establish FCC regulations requiring TV broadcasters to improve children's television.[11]

Congress made several unsuccessful attempts at creating a children's television law before one was accepted in 1990. First, Congressman Timothy Wirth and Senator Frank Lautenberg sponsored a bill with the support of 140 educational, religious, consumer, and public interest groups[12] such as the NAACP, the National PTA, and ACT in May of 1984. [13] The proposed bill, The Children's Television Education Act of 1985, would have required commercial television stations to provide a minimum of seven hours per week of educational programming for children, at least five of which must air Monday through Friday. The Children's Television Education Act of 1985 would also require the FCC to conduct an inquiry into the implications of programs created to promote toys or other products popular with children—the so called 'program-length commercials.'[14]

ACT's Peggy Charren hoped for the best for the bill, calling it "the last best hope that children will be served adequately by broadcasters."[15] ACT had exhausted all other avenues for regulatory reform by petitioning and suing the FCC in the 1970s.

Other groups supported the proposed bill. At its October 1985 conference at Yale University, The American Academy of Pediatrics applauded the proposal because

> too much of the wrong kind of television makes children aggressive or overweight, interferes with school performance, encourages them to try alcohol, drugs or sex, and persuades them that the world was more violent, more white, and more middle-class than it is.[16]

World-renowned pediatrician Dr. Benjamin Spock lamented that "at present there are no commercial programs for children. The things that pass for them are really half-hour-long commercials on the life of a doll they are trying to sell."[17] There were several programs that resulted in dolls: *My Little Pony* produced hand-held pastel ponies, *Teenage Mutant Ninja Turtles* created a series of four turtle superheroes, and Fox's *Mighty Morphin Power Rangers* featured racially diverse teenagers who would transform to colorful action figures.[18] Congress's proposed bill would eliminate these program-length commercials.

Broadcasters were not as jubilant over the proposed bill. The vice president and general manager of Oakland, California's, KTVU-TV, Alan Bell, said "it should be left to the licensee's discretion" as to how to best serve the child audience. Bell also stated that there should be no "numerical quota" imposed on broadcasters when they are trying to meet the guidelines. Vice President of Metromedia Dick Block also disagreed with the proposed bill. Block said that while the intent of the Lautenberg bill was "laudable," it violated the First Amendment because it attempted to control broadcasters' content.[19] Block sentiments implied that while the FCC could control who got an FCC license, it

could not be instructed to tell broadcasters how many hours of a type of programming they could air.[20]

In an effort to add to the regulations, Wirth and Lautenberg reintroduced the potential legislation with a few additions in August of 1985. The new bill added a stipulation prohibiting program-length commercials that Wirth believed were "the direct result of the FCC's 1984 television deregulation order."[21] The new proposal asked broadcasters to maintain seven hours of educational programming per week.[22] The proposal also asked that the children's shows be aired at least five days a week. In 1985, 72 percent of children's programs on the networks aired on Saturdays and Sundays. There was very little available on the networks for children before or after weekday school hours.[23] The three networks filled their morning schedules with news programs such as *Today* and *Good Morning America*, while independent stations aired reruns such as *Woody Woodpecker* and *Bewitched*. During the after school hours, networks showed soap operas such as *General Hospital* and game shows such as and *Love Connection.*[24] Again, the broadcast lobby opposed this legislation and it was not passed.[25]

During this time, ACT was not idly waiting for children's television legislation. ACT continued to try to improve children's television experiences. In 1986, Charren and ACT's publications director, Carol Hulsizer, announced ACT's *TV-Smart Book for Kids*. Hulsizer explained that the book was helpful to both children and parents because,

> (s)o many parents give up the effort to be on top of management of television. ACT regularly gets calls from parents more and more troubled by the friction television causes in the household. We (ACT) felt this really may be the time to talk directly to parents and children about this.[26]

The book contained different activities, including a viewing schedule for kids and parents to fill out together. One, "Be your own ad agency", encouraged children to make up an ad to try to sell something to friends.[27]

The Children's Television Act of 1988

With all of the false starts and stops, it was not until 1988 that Congress was able to create a legislation that would resemble the eventual law, The Children's Television Act of 1990. The United States House of Representatives and Senate passed a children's television measure, The Children's Television Practices Act of 1988, to "require the Federal Communications Commission to reinstate restrictions on advertising during children's television and to enforce the obligations of broadcasters to meet the educational and informational needs of the child audience."[28] During this time, the National Association of Broadcasters prepared a survey that found

> (t)he average children's program contained 8:38 minutes of commercial matter per hour. However, the survey also demonstrated that 17.2 percent of the children's programs broadcast in the largest 20 television markets averaged more than 12 minutes per hour of commercial matter, and 7.6 percent averaged more than 13 minutes per hour. In the television markets ranked 21-50, 20 percent of the children's programs ran more than 12 minutes per hour, and 7.8 percent ran more than 14 minutes per hour.[29]

The stated purpose of the proposed legislation was

> much the same as that reflected by the FCC's policy in 1974: to protect the interests of children by limiting the amount of commercial matter presented during children's programs to the greatest extent possible with out negatively impacting the viability of children's programming on commercial television.[30]

The bill stated that it was little more than Congress's duty to do so because "Congress historically has concerned itself with the nature of television programming and its effect upon the young audience."[31]

To create the Children's Television Practices Act of 1988, Congress sought testimony from television experts such as Peggy Charren, television researchers, and broadcasters. Congress's Subcommittee on Telecommunications and Finance held one day of hearings in March 17, 1988, to gather information before issuing its bill.

Witnesses included television members of the broadcasting lobby, researcher Dr. Ellen Wartella, and Nickelodeon's General Manager Geraldine Laybourne. In Charren's testimony she reiterated that "public interest standard applied to children."[32] The subcommittee voted two months later to accept the bill.

Accumulated testimony and gathered research resulted in several findings enumerated in The Children's Television Practices Act of 1988. The Congress found that:

1. Television can assist children in learning important information skills, values, and behavior, while entertaining them and exploring their curiosity to learn about the world around them.

2. As part of their obligation to serve the public interest, television station operators and licensees should provide programming that serves the special needs of children.

3. The financial support of advertisers assists in the provision of programming to children.

4. Special safeguards are appropriate to protect children from over commercialization in television.

5. Television station operators and licensees should follow practices in connection with children's television programming and advertising that take into consideration the characteristics of this audience.

6. It is therefore necessary to require the Commission to take the actions required by this Act.[33]

The bill sent to the White House for President Reagan's signature was Congress's compromise between what child advocates and the broadcast lobby wanted.[34] First, the proposed law would have required broadcasters to limit commercials to 10.5 minutes on the weekends and 12 minutes on weekdays. Also, broadcasters would have to "serve the educational and informational needs of children in its *overall* programming" before the FCC would renew their station licenses.[35] This provision meant the FCC would have to

assess a station's entire programming schedule to determine if children were being served. Perhaps what the bill did not contain was more significant than what was included in the bill. Unlike the House and Senate bills in 1985, the 1988 bill did not require an hour of educational or informational programming for children each day nor did it eliminate program-length commercials.[36]

The co-sponsor of the bill, Representative Edward J. Markey, a Massachusetts Democrat and the chairman of the House Telecommunications Subcommittee, applauded the bill's passage as "signaling an end to the deregulatory excesses of the Reagan era."[37] Markey added that "now they (broadcasters) will have to start each day thinking about what they are doing for children. This says there is an ongoing inescapable duty to children. . . ."[38]

Charren echoed Markey's enthusiasm in an article for *Newsday.* Charren discussed the progress ACT had made in the Children's Television Practices bill. In the article she remembered "how hard it ha(d) been to get to this point in the fight to end overcommercialization and the lack of diversity in TV programs for children."[39] She wrote that the bill would

> change television for the better . . (R)egulation allows concerned corporations to perform in the public interest without having to worry about what the competition is doing. Regulation reminds the less committed broadcaster that the right to operate on the limited spectrum was given free in return for his promise to serve the public interest . . . (P)lus the limit on commercials is the best way to guarantee a TV system that, finally, will take the needs of children seriously.[40]

Charren also said the bill would "create a market for the creative people in television."[41]

An unexpected voice of opposition was soon heard after the Children's Television Practices Act was passed in the House. This voice belonged to ACT's first president,

Evelyn Sarson. In an editorial for the *New York Times* Sarson expressed her confusion at ACT's enthusiasm over the potential law. She wrote:

> The House of Representative has passed a bill setting a limit of 12 minutes an hour on commercials in programs intended for children and ACT seems to think that this is some kind of achievement. Good grief! That's 20 percent of every program—quite a deluge of "Buy me, Mom, please buy me" attacks!
>
> But that's not all. It turns out that, according to a survey of 469 TV stations, most stations now carry only 8 ½ minutes of advertising during children's viewing hours. So Congress in its infinite wisdom has just legislated more advertising for children's programs. The TV executives must be roaring with laughter all the way to the bank.
>
> Once upon a time, ACT demanded an end to commercials on children's TV programs. But now ACT thinks it's great that there are dozen minutes to hustle toys, candies, and cereals. And in the past, broadcasters never had to provide educational programming at all for children. Under the new bill, nothing will change. It doesn't sound like progress to me. It sounds more like business as usual, selling candy to babies. Where is Superman when we need him?[42]

Nine years after the passage of the bill, Sarson said her criticism of ACT's support of the bill soured her longtime friendship with Charren. Sarson said, "Peggy was furious that someone should actually criticize what she was doing. After that she never really spoke to me again. She was just pissed off."[43]

While Evelyn Sarson groused about the large compromises found in the potential law, some members of the broadcasting and advertising industries were pleased with the new law. The Hasbro Corporation dismissed the potential law as being inconsequential, assuring toy shops that "every GI Joe will march off your shelf."[44] Most stations also were not concerned about the advertising limits in the legislation. The National Association of Broadcasters found in its survey of 469 stations that they air an average of 8 ½ minutes of commercials per hour.[45] This number, as Evelyn Sarson pointed out, was a full four minutes less than what the law would have allowed on the weekdays. The

NAB's news bureau director Bob Hallahan reported that stations also were pleased they would have the freedom to "determine if they are programming sufficiently for children."[46]

All of those involved in the legislation, from broadcasters to ACT, awaited President Reagan's signature on the bill. Charren ambitiously hoped the upcoming presidential election would ensure President Reagan's signature on the Children's Television Practices Act of 1988. Less than a month before the election, Charren said, "Chances of the President signing it (the bill) are extraordinary. It has the support of Democrats and Republicans, consumers and the industry. It is guaranteed because of the election and because Bush (the Republican presidential candidate) is masquerading as the education President."[47]

Charren seemingly ignored several signals that Reagan disliked the bill and would veto it. First, Mark Fowler's replacement on the commission, Dennis Patrick, commented that the legislation was "unnecessary and ill-advised" because the President was supporting the commission's efforts in making some rules for commercials on children's television.[48] Further, the Justice Department recommended that Reagan veto the measure because the provision requiring broadcasters to serve the educational and informational needs of children in its overall programming might violate the First Amendment.[49] To further explain Reagan's position, the president's spokeswoman delivered the administration's position that "(a)ttempts such as this one (the 1988 bill), to inject the Federal Government into programming and administrative decisions that are properly those of television broadcasting licensees are inappropriate, ill-advised and inimical to the spirit of the First Amendment."[50]

With all of these statements, Reagan's approach to the bill was still somewhat surprising. Instead of signing or outright vetoing the bill, Reagan let it "languish" on his desk.[51] Reagan did not sign the bill by its Saturday, November 5 deadline, and it simply died in the week before the national election.[52] Because Congress passed the bill at the very end of the legislative session, President Reagan's failure to sign it meant the end of the bill. This inaction, called the pocket veto, was Reagan's way of eliminating the bill without having to take the controversial step to veto it.[53] The President stated his problem with the bill, explaining,

> Conditioning license renewals upon the federal government's determination as to the adequacy of a licensee's program would violate the First Amendment. It would inhibit broadcasters from offering innovative programs that do not fit neatly into regulatory categories and discourage the creation of programs that might not satisfy the tastes of agency officials responsible for license renewals. The bill simply cannot be reconciled with the freedom of expression secured by our Constitution. Moreover, despite its laudable goals, it is likely to be counterproductive.[54]

Charren was surprised and disappointed in the 'unbelievable' pocket veto because "this bill simply cannot be reconciled with the freedom of expression secured by our Constitution. He (Reagan) is really questioning the constitutionality of the 1934 Broadcast Act (The Communication Act of 1934) which mandates broadcasters' public interest requirements. . . . I don't see how a candidate (Vice President Bush) who wants to be 'the education president' could have let this happen under a Reagan-Bush administration. It's so sad."[55] Charren also was displeased with the veto because it meant that she would have to continue fighting for young television viewers. Charren lamented, "(I)f Reagan had signed the bill, I think I'd have faded off into the woodwork, after all these years, and maybe give somebody else the chance to start yapping."[56]

Although Reagan's pocket veto was initially thought to be a failure by those who supported the 1988 bill, the veto resulted in a more comprehensive law two years later. Three days after Reagan's veto, George Bush was elected president. During the presidential campaign, Bush had professed that he would like to be known as the "education President." He adopted that name because of his desire to aid in the education of young children with government programs such as Head Start.[57] This moniker encouraged the proponents of the 1988 bill to give children's television legislation another try with some changes.[58] One advocate in particular, University of California at Santa Barbara psychology professor Dale Kunkel, characterized Reagan's veto as disappointing, but it "presents a 'window of opportunity' for even tougher regulation . . . What we need now is a clear statement that broadcasters must present programming for children."[59]

Not all those involved wanted to go through the legislative procedure again. Charren, for one, was not enthusiastic about creating another children's television bill. Charren would have been satisfied with getting the provisions in the 1988 bill passed. Charren commented, "It was hard enough to get this bill as it was. (I) don't want to start from scratch and make the world perfect."[60]

However, there was a Congressional push to make a children's television law. The idea to strengthen the children's television legislation provisions came from other child advocates such as university researchers. What Professor Kunkel wanted to strengthen was the part of the 1988 legislation requiring that broadcasters provide educational and informational needs of children in their "overall programming." Kunkel said the words, "overall programming," provided "a loophole (that allowed broadcasters)

to count the family-oriented programs as children's programs. These shows have value. But they will be there without legislation."[61] If the "overall programming" wording were to become law, the broadcasters could point to popular and profitable general audience situation comedies, such as *The Cosby Show* and *Family Ties*, as serving their child audience. Kunkel and other advocates hoped that broadcasters would have to provide programs that were specifically made for children.[62]

In 1989, two senators, Howard Metzenbaum (D-Ohio) and Timothy Wirth (D-Col.), sponsored different bills in hopes of rejuvenating legislative activity on children's television. Metzenbaum's bill, introduced April 5, 1989, was identical to the vetoed Children's Television Practices Act of 1988. Metzenbaum's bill directed the FCC to monitor that broadcasters "limit the duration of advertising in children's programming to not more than 10.5 minutes per hour on weekends and not more than 12 minutes per hour on weekdays." The Metzenbaum bill also stated that "(t)he Federal Communications Commission shall consider among the elements in its review of an application for renewal of a television broadcast license whether the licensee has served the educational and informational needs of children in its overall programming."[63]

On June 23, 1989, Wirth sponsored another bill intended to "enforce the obligation of broadcasters to meet the educational and informational needs of the child audience, and for other purposes."[64] His bill differed from Metzenbaum's bill and the 1988 attempt in two significant ways. First, Wirth's bill asked that broadcast licensees limit the duration of commercial matter in children's television programming to not more than 9.5 minutes per hour on weekends and not more than 12 minutes per hour on weekends. Second, the bill asked that broadcasters "provide public notice to assist

interested individuals in identifying programs specifically designed to serve the educational and informational needs of children."[65] The Wirth bill added a proviso that would have asked broadcasters to define the terms of their syndicated program acquisition arrangements to guard against the program-length commercials that became mainstays of children's television during the 1980s. This provision would eliminate the practice in which a toy company gives a program to a station in exchange for advertising time for the toy featured in the program.

Where the Metzenbaum bill was merely asking for what had been proposed and rejected before, Wirth was asking for even more. The Wirth bill reduced commercial time for advertisements on children's programs by an hour. The most controversial change was the request that broadcasters air programs *specifically designed* for children.[66] Under this provision, broadcasters would have to acquire or produce *children's* programs instead of simply using their pre-existing, general audience programming to count as educational programs.

Both lawmakers presented their bills before the subcommittee of the Senate Commerce, Science, and Transportation Committee so it could decide which it would present to the entire Congress (and eventually President Bush). The decision-making process put both sponsors in a difficult position. Metzenbaum believed that the provisions in his bill "may (have been) the most palatable to lawmakers."[67] The Metzenbaum bill may have been more acceptable because it had already passed Congress a year earlier, as the Children's Television Practices Act of 1988, but Metzenbaum contended that he would prefer a stronger bill that contained stricter stipulations for broadcasters. He admitted, "Tim's (Wirth) bill is better than my bill. . . . The stronger

the children's television bill we come up with, the better."[68] Metzenbaum showed his support in Wirth's stronger bill by co-sponsoring it, while still supporting his own.[69]

Advertisers and broadcasters objected to both bills, but they were against Wirth's proposal more than Metzenbaum's proposal. At a Senate hearing, the president of the National Association of Broadcasters, Edward O. Fritts, testified that the Wirth bill

> places unnecessary burdens on broadcasters and attempts to specifically regulate content, which we believe clearly violates the First Amendment. Parents already can and do supervise their children's viewing habits, and have a much greater impact on those programs selected than placing labels on program guides and programs. These sections (provisions) also add onerous regulatory burdens on both television stations and program syndicators by requiring that they prove that any barter arrangement in children's programming provides fair compensation to the program's supplier. It is beyond us how the FCC could decide what compensation is fair or unfair, and it is totally impossible to predict.[70]

Echoing Fritts comments was De Witt Helm, the president of the National Association of Advertisers. Helm told the same panel that "it is essential that advertisers and program producers be given the flexibility to best determine how to balance the entertainment needs of the audience with the financial requirements of good programming."[71]

Support for Wirth's bill could be found on Capital Hill. Senator Albert Gore, Jr., (D-Tenn.) said of his fellow Senators, "(w)e tend to underestimate how important this is. We are strip-mining our children's minds."[72] Senator Daniel Inouye (D-Hawaii), a frequent viewer of the "rubbish" [73] on children's television, said, "This is the most important legislation that will be considered by this committee." Yet, he was not sure if he could persuade his fellow senators to support Wirth's tougher bill because the financially influential industry lobby did not support it.[74]

As for ACT's support, Charren continued to support Metzenbaum's weaker, but already proven, proposal. She called the Metzenbaum bill "good legislation that represents a most constructive step forward."[75] She was hopeful that, unlike his

predecessor, Bush would sign the bill and his wife, literacy ally Barbara, would support the decision and "pat him on the back" for working to educate children.[76] However, Charren said she would support either bill because they were "nifty" and put "broadcasters on notice."[77]

On October 5, 1989, the bill the Senate committee approved was a compromise between the bill passed in 1988 and Wirth's more rigid measure proposal. The approved bill limited ads on children's shows to 10.5 minutes per hour on weekends and 12 minutes on weekdays. It also required stations, at license renewal time, to demonstrate that they had offered programs specifically designed to meet the educational and informational needs of preschool and school-age children. The bill also required that the FCC be more aggressive when pursuing complaints about program-length commercials. [78] The Senate passed the bill just before Congress adjourned in November of 1989. The House passed a similar version of the bill, but added a provision for a national endowment for children's television that would pay for some children's programming.[79]

The Children's Television Act of 1990

Even though several versions of a children's television bill had failed, those involved with advocating for children's television were not deterred from creating a bill that would pass Congressional muster. According to Charren, the time was ripe for legislative action to be taken. Charren was excited about the prospect of the CTA of 1990. Charren prophesied, "The 1990s are going to be a time of caring about children. I think the 1980s were nasty to kids. With the change in the Senate and what I assume will be a new Administration, that will change."[80] She was hopeful that after a political 'hiatus', children's television was once again on the public agenda. Charren opined,

"Children are beginning to show up in other places in telecommunications. It means that our issue is sexy again."[81]

Charren's opinion was correct, as 1990 marked the year a children's television bill would become law. The Children's Television Bill of 1990 kept the commercial limitations from Metzenbaum's 1988 bill and the combination of the Metzenbaum/Wirth bills from 1990. The 1990 proposal created a National Endowment for Children's Television, which would administer federal grants to children's television producers. Finally, a seemingly small, but important addendum was added. The most significant portion of the bill directs broadcasters to meet the "educational and informational needs" of children in their overall programming, including programming specifically designed to meet such needs.[82] This provision was a combination of the language in the 1988 and 1989 bills. It meant broadcasters could point to a variety of general audience programs such as reruns of the '50s program *Leave it to Beaver* and children's shows such as *Chip and Dale's Rescue Rangers* as being illustrative of their commitment to the educational and informational programming needs of children.[83]

With these stipulations in place, the bill was presented to President George Bush on October 1, 1990, for his signature. Bush objected to the bill's restrictions for the same reasons his predecessor, Ronald Reagan, had. Bush's administration was opposed to government regulations and the Justice Department questioned the constitutionally of the bill. The president said, "I wholeheartedly support the goals of the bill. But, Congress has chosen inappropriate means of serving them." [84] Bush chose not to veto the popular measure, but to do as Reagan had done, just ignore it. However, unlike Reagan's pocket veto that killed the Children's Television Practices Act of 1988, the Children's

Television Act was allowed to pass. Under the Constitution, when Congress is in session a bill becomes law if the president takes no action within 10 days of receiving it.[85] The Children's Television Act of 1990 was the most comprehensive legislative action taken regarding children's television at that time. Until this time, there had been no legislative action taken toward commercial limitations or educational standards in children's programming.

Broadcasters, while not completely satisfied with the legislation, made little noise in complaint. One reason for their silence was Senator Inouye's insistence that broadcasters be consulted for 30 days before presenting the bill to the Senate and President Bush.[86] The NAB declared it was satisfied with the bill because it "protects children from overcommercialization in their TV and cable programs while acknowledging that advertising is what makes these programs possible."[87] As a result, the National Association of Broadcasters "signed off," agreeing to the provisions in this version of the children's television bill. The NAB's approval left no room for broadcasters to complain.[88] Director of the Washington Center for Public Policy Henry Geller and former ACT attorney, said, "It (broadcast regulation) has to be done with the broadcasters on board. You can't legislate in this field without consensus."[89] Most broadcasters took KCAL programmer Matt Cooperstein's approach and began to think about selecting shows to add to "the program mix that his station beams out to children every day," but did not change his programs immediately.[90] Few stations did, as the CTA gave broadcasters nearly three years to implement the new law.[91]

The members of ACT were pleased with the long fought passage of the CTA. According to ACT's final annual report, the CTA "was very good news for children and

their families, and for those sectors of the American public professionally concerned with the education, health and welfare of the nation's youth."[92] Charren applauded the coming regulations because "the programming has gotten so strange under deregulation."[93] Charren quipped that "the lack of his signature is not a problem for me, but I think it is a missed opportunity for President Bush. The bill has the support of an incredible coalition of teachers, parents, educators, professionals, and mainstream religious groups. Even the industry that will be regulated by this bill supports it. There was no constituency for a veto."[94]

Once the law was passed, Charren hoped stations would feel pressured to present a diversity of programs. Charren said groups such as the National PTA and the National Education Association would have to apply that pressure, because ACT would be ceasing operations shortly.[95] After the CTA was passed, Charren felt that it was time for ACT to end. She said

> ACT has always felt very fragile. We don't talk about ourselves being here forever. I didn't want it to be here forever. I wanted to set up a structure for broadcasters to do programming without me around. Although it's appropriate for the public to make noise, it shouldn't be necessary to keep making the same noise forever.[96]

Charren's decision to end ACT was gradual. In 1990, she considered closing the organization when ACT's headquarters, a two-story house in Newtonville, Mass., purchased with its Markle grant in 1971, was purchased by a developer and knocked down.[97] Instead, Charren chose to operate a slimmed-down organization from a small suite of offices in Cambridge, Mass., a few steps from the condominium where she and her husband, Stanley, lived. Since the new offices were smaller, ACT's extensive library on children and the media was given to Harvard University's School of Education. [98]

In the first week of January 1992, Charren announced that it would be ACT's final year. At this time Charren, who was 63 years old, said ACT was no longer needed after the passage of the CTA. Charren recalled that "for more than 20 years, ACT has tried to get the public-interest laws that govern broadcasting to apply to children. With the passage of the 1990 Children's Television Act, this goal has been achieved. People who want better TV for kids now have Congress on their side."[99] Charren also said she was leaving ACT behind, citing "health limitations."[100]

The Process of Going Out of Business

When ACT ended, it was operating with a budget of about $150,000, employing three full-time staffers and some interns.[101] But in 1992, Charren had had "enough already, I was going to keep working on these issues, but I didn't need a staff to do it."[102] With the remaining grant money and donations, the organization gave $125,000 to the Harvard Graduate School of Education to fund an ACT Lecture Series on Children and Media and an annual ACT fellowship for graduate research in the field.[103] ACT's internship program was ended, final taxes were paid and office equipment was sold. Letters were sent to contributing members thanking them for their past support, but ACT would no longer be accepting donations.[104]

Charren's departure from the advocacy arena did not go unnoticed. Many spoke out to praise Charren for her 23 years of service. Even her biggest opponents, broadcasters had kind words at ACT's end.[105] One of Charren's later foes was the head of the commercial laden in-school news program, Channel One. Channel One's owner, Chris Whittle, commented that he had respected Peggy Charren's work. He said, "I'm sorry we disagreed over Channel One, especially since she, more than most, understands the need for quality news programming for young people."[106]

Even though ACT's opponents praised Peggy Charren's devotion to ACT's cause, her proponents gave her more adulation. Well-known pediatrician T. Berry Brazelton called Charren "one of the heroes of this country." The National PTA's director of governmental relations praised Charren as "a Goliath of telecommunications."[107] The chairman of the board and chief executive officer of the National Black Media Coalition, an advocacy group for African Americans,[108] Pluria Marshall, marveled that "for Peggy to survive Mark Fowler as the FCC chairman of the commission during the Reagan administration was nothing short of a miracle. Fowler was the worst chairman in the history of the FCC. He was racist and sexist and headed a regulatory commission that refused to regulate."[109] One of the CTA's sponsors, Representative Edward Markey, upon hearing about ACT's end, commented, "Peggy Charren was the dominant voice in America for quality television and remained so for a generation. I am confident, however, that as ACT closes its doors a new generation of activists will emerge to champion the cause."[110]

As Markey assessed, ACT's departure did not mean there would be no voices speaking for children. Charren warned broadcasters, by way of alerting fellow advocates, "the people who have to enforce it (the CTA) are the organizations with tremendous constituencies—the National Parents and Teachers Association and the American Academy of Pediatrics. It's a new marketplace out there, but people still have to make noise. It isn't the Peggy Charren sound bite that's gonna save the world."[111]

Charren provided other advocacy groups with some direction for children's television advocacy. In ACT's final report Charren wrote,

> Dramatic developments in the world of telecommunication have convinced us that it's time for the focus to expand beyond the public policy arena where ACT's impact has been substantial—to community-based initiatives led by professional

> groups conceived with TVs effects on children and families. We believe in the coming decade experts in how children learn should be encouraging broadcasters to use exciting new technologies to maximize TVs potential to teach. Medical experts should be pressing for television's help on motivating kids to lead healthy lives and providing tips on how to do it. Legal and consumer experts should be coordinating efforts to protect the rights of young viewers and curb commercial exploitation of the child audience. Stimulating public action assures compliance with the provisions of the law.[112]

Among the groups Charren assessed as being able to "stimulate action" were The Harvard University School of Graduate Education, The American Academy of Pediatrics, the National PTA, and the Committee for Media Education who would pick up where ACT left off. The National PTA alone had 7 million members concerned about child welfare.[113]ACT had worked with each of these groups in the past, and each had shared Charren's belief in the public support for children's television regulation. She said she was "counting on the constituencies of organizations that have worked with us over the years to keep the issues we all care about."[114]

Aside from ACT's allies serving the needs of children, Charren continued to work for improved children's media. After announcing her imminent departure, Charren warned broadcasters and advertisers not to "break open the bloody champagne" because she would still be watching them.[115] She served as a consultant with various national groups such as the Center for Media Education. The group's leaders, Kathryn Montgomery and Jeff Chester, sought Charren's advice when issuing a report to the FCC asking for specific rules in the CTA. CME's leaders said Charren "was helpful in framing the issue," calling them at 6 a.m. to help plan their strategy.[116]

Additionally, Charren stated that she was going to seek out projects. She mentioned that she would be "working on new technology for kids" and was a part of the "big organized White House appointed commission" for digital television. This group

would determine how the new digital television capabilities would increase televised content for children. She also was on the board of the National Children's Museum, an organization that stresses multiculturalism in the performing arts for children[117] and National Video Resources.[118] Charren's generation-long commitment to children's television was rewarded in1995, when President Clinton awarded her America's highest civilian honor, Presidential Medal of Freedom.[119]

ACT's Compromise

Currently, broadcasters are still required to follow the Children's Television Act of 1990 and its rules made by the FCC in the years between 1991 and 1996. At a broadcast television station's license renewal time, the FCC will assess whether a station has limited its commercial time to 12 minutes per hour on weekdays and 10.5 minutes per hour on weekends. Stations also have to comply with the various rules adopted by the FCC. These rules state that broadcasters have to name and describe programs used to fill three hours of "educational and informational programming specifically designed for children 16 and under" each week on their license renewal forms. Although ACT's primary goals were not met in the CTA, the FCC's rulemaking procedures resulted in a rule that Charren thought was "good news for children and their families."[120]

Even though the Children's Television Act comparatively fell short of ACT's initial proposals, the legislation and subsequent regulations did lead Peggy Charren to declare that

> ACT went as far as it could. Now it's up to each person in the audience to use the law and make the stations serve the kids by obeying it. We (ACT) didn't work to get a law passed for ACT. If parents, pediatricians and everyone else pay attention (to children's television) it will work. It's our choice—not the FCC's nor Congress's—to improve children's television."[121]

In 1971, after conducting several of its own studies into children's television, ACT devised several goals that it constantly asked broadcasters and regulators to meet. ACT's goals in its 1971 proposal to the FCC requested that

1. There shall be no selling by hosts to children's shows
2. No performer shall be permitted to use or mention products, services, or stores by brand names during children's programs, nor shall such names be included in any way during children's programs.
3. Each station shall provide daily programming for children and in no chase shall this be less than 14 hours a week in different age groups.[122]

One reason ACT's goals may have changed over the 19 years between its 1971 petition and the CTA of 1990, was that the amount of advertising time reduced by nearly three and a half minutes. In 1972, broadcasters who subscribed to the NAB's Code reduced the permissible about of nonprogram material (commercials and public service announcements, station promotions) on weekend children's programs from 16 to 12 minutes per hour.[123] An NAB 1988 study found that the average children's program contains 8:38 minutes of commercial matter per hour.[124]

Another area where ACT did not have to do much compromise was with the program-length commercial. The Children's Television Act asked for the elimination of host-selling on children's television. ACT conducted research and found that hosts such as *Romper Room's* Miss Jean were selling products, such as orange juice, to children on the show.[125] Once ACT asked the FCC to consider making a law eliminating these appeals, broadcasters voluntarily eliminated them from the airwaves by 1974. Additionally, when the FCC issued its 1974 Policy Statement, it encouraged broadcast licensees to "eliminate the practice of 'host-selling' (using program characters/personalities to sell commercial products)."[126] The FCC noted in the 1974

Policy Statement that this practice causes a child to blur the distinction between program and commercial and thereby takes unfair advantage of the child's trust in the program's character.[127]

ACT's initial proposal also requested that there be no advertisements aired during children's programs. ACT's first president, Evelyn Sarson, said, "The only way to change (children's programs) was to have children's programming underwritten so that the quality of programming was what mattered. At the end of *Sesame Street* (an underwritten show) they say, 'Sesame Street is brought to you by a grant from whoever.' This technique would guarantee that programmers paid more attention to the content on children's shows and not the program's profitability. [128]

Congress developed the advertising limits in the CTA of 1990 in collaboration with the broadcasting and advertising industry. The industry representatives agreed that 10.5 minutes per hour on weekends and 12 minutes per hour on weekdays was a reasonable amount to expect of them.[129] Sarson pointed out that Charren's silence at the compromise over commercial limits was foolhardy. Setting a limit of 12 minutes an hour on commercials in programs intended for children was three and a half minutes more than broadcasters were airing at the time of the CTA.[130]

ACT's final request in its 1971 proposal asked the FCC to mandate that broadcasters

> provide daily programming for children and in no case shall this be less than 14 hours a week. . . . Provisions shall be made for programming in each of the age groups and during the time periods specified: (i) Pre-school: Ages 2-5, 7 a.m. – 6 p.m. daily, 7 a.m. – 6 p.m. weekends; (ii) Primary: Ages 6-9, 4 p.m. – 8 p.m. daily, 8 a.m. – 8 p.m. weekends; (iii) Elementary: Ages 10-13, 5 p.m. – 9 p.m. daily, 10 a.m. – 9 p.m. weekends.[131]

According to ACT's petition, these provisions must be met because the child audience could not be "considered simply as the 2 – 11 market."[132] ACT asserted that effective children's programming needed to be segmented to serve the unique needs of different age groups.[133] The 14-hour a week requirement would have mandated that broadcasters air on average two hours of "quality" children's programs a week.

Both the age specifications and the 14-hour requirement were rejected in the 1974 Policy Statement. In both cases, the FCC declined making these rules, citing First Amendment issues. Also, the FCC deemed that broadcasters were airing a "reasonable amount" of educational programs and diversifying their content.[134] Congress also did not legislate these requirements in the Children's Television Act, but the resultant FCC rules did mandate non-segmented age specifications and a three-hour requirement for broadcasters to use when scheduling educational programming for their stations.[135]

After the CTA was passed, Congress, as it does with most broadcast legislation, instructed the FCC to make rules for legislation. In accordance with the Administrative Procedures Act (APA), the FCC conducted formal rulemaking procedures for the CTA.[136] The APA requires specific procedures, but each administrative agency is free to alter the procedures to fit its own needs. The primary points of the FCC's process that will be discussed here are the FCC's solicitation of public comments on specific alternatives being considered by the agency and the subsequent rules for broadcasters regarding children's programming that followed.[137]

When the FCC was charged with developing rules for the CTA, it did so with some reluctance. In 1990, the FCC was made up of commissioners appointed by President George Bush, who shared his predecessor Ronald Reagan's deregulatory

viewpoint. Like the Fowler commission of nearly a decade prior, this commission had some "discomfort with content-specific regulations."[138] As a result, the FCC hesitated in addressing how broadcasters should define educational programming. The FCC also did not set a minimum number of hours broadcasters needed to air in order to be in compliance with the CTA until 1996. Even then, the FCC did not devise that specification. Instead, the broadcast industry and CTA-friendly President Bill Clinton developed the three-hour minimum requirement at a White House summit in 1996. Because George Bush's FCC and its conservative chair, Alfred Sikes, were reluctant to regulate any content, the Commission sought to make non-content based regulations for the CTA. The first non-content based regulation determined an age group that the CTA's programming should apply to. The FCC established that the CTA's educational and informational programming requirements should apply to children 16 and under.[139] In November 1991, the FCC specified, after some deliberation, that educational programming would constitute any programming to further "the positive development of the child in any respect, including the child's cognitive/intellectual or emotional/social needs of children 16 and under." [140] The FCC selected this age because television could "assist children to learn important information, skills, values and behavior, while entertaining them and exciting their curiosity to learn about the world around them." [141] Further, children in their formative early teen years could benefit from televised social issues such as drinking and honesty.

The FCC's rules for the CTA also specified that broadcasters can count only programs that aired between the hours of 7 a.m. and 10 p.m. as educating the child audience. To make this rule, the FCC relied on data provided by the Center for Media

Education. A CME study reported that just 1.6 million children were in the viewing audience before 7 a.m. However, as CME submitted, "by 7:00 a.m. that number of children watching television is 5.1 million. Data also showed that roughly as many young children are watching television at 6:00 a.m. as are watching at midnight."[142] This rule was necessary because, as a study submitted by the United Church of Christ reported, "1994 and 1995 surveys indicate that approximately 20 percent of programs stations claimed were educational were shown before 7 a.m. In the evening hours, 16 percent of children were watching television at 10 p.m. After 10 this number drops to less than 10 percent."[143]

ACT's desire to have broadcasters air a minimum of 14 hours of educational programming a week also never came to fruition. In 1974, the FCC rejected ACT's quantitative standard and asked that broadcasters "make a meaningful effort to provide programs for children, of which a reasonable part should be educational programming."[144] It was not until 1996 that the FCC specified any minimum amount of educational content to guide broadcasters.[145] The three-hour minimum that was instituted is not found in the in Children's Television Act itself, nor was the three-hour rule devised through the FCC's traditional rulemaking procedures. Instead, President Bill Clinton took the unconventional step and worked with the broadcast industry to create this guideline.[146] The three-hour minimum—eleven fewer hours than ACT requested—was met with constitutional challenges from First Amendment purists. One such purist, First Amendment theorist Rodney Smolla, wrote, "For First Amendment purposes, the imposition of a minimum number of hours of specifically defined programming violates established constitutional norms."[147]

To combat the First Amendment challenges, the FCC reasoned that the rules for the CTA should include some quantitative requirement because an unpublished rule "would not provide clear and timely notice of what a licensee can do to guarantee renewal under the CTA. By adopting a processing guideline in this order, the Commission is simply giving public notice of the procedures it will use to evaluate a broadcaster's children's educational and informational programming performance. Licensees and the public will consequently know with certainty and in advance what a licensee can do to ensure that it meets its CTA obligations."[148]

Before the FCC adopted the three-hour requirement, the FCC would renew without challenge station licensees who aired just a half-hour of educational programming a week. Chairman Reed Hundt, at a December 1995 speech at the Brooklyn Law School, admitted that the half-hour minimum was a "semi-secret guideline used by the FCC's renewal staff" between the years of 1991 and 1994. Hundt elaborated, "The one-half hour a week may have been startlingly low, but of course any license renewal process inevitably leads to quantification either in a public statement of policy, or in behind-closed-doors practice."[149]

A written guideline also was intended to encourage all broadcasters to comply with the law without the fear of losing money. A guideline would

> help ameliorate the inequities that may arise from the economic disincentives that lead some stations to air little educational programming. . . . A processing guideline will help minimize the inequities and reduce the disincentives created by below-average performers by subjecting all broadcasters to the same scrutiny for CTA compliance by the Commission at renewal time. In contrast to the current situation, a broadcaster that wishes to air an ample amount of educational programming can feel confident that, as a general matter, its competitors will be airing at least three hours of educational programming.[150]

Although the chairman could justify the idea of a specified number of hours, the rule was not an easy one to make.[151] The president and general manager of KLGT-TV, Minneapolis's WB-affiliate Linda Rios Brook, said the rules would help program her station. Rios Brook said, "We're in no man's land right now. It would be better to know the rules than have the rules be ambivalent."[152]

Opponents to the three-hour requirement included broadcasters such as ABC, CBS, and National Association of Broadcasters' advocate Professor Rodney Smolla. Smolla argued that "were the FCC to adopt either a rule requiring a specified amount of particular programming or a processing guideline that effectively imposed a similar requirement, such a rule or processing guideline would unconstitutionally burden speech."[153]

For the above reasons, Commissioner Hundt's quantitative standard had very little support from his fellow commissioners as well. For example, a 24-year veteran of the commission, James Quello, was opposed to the three-hour mandate. Quello plainly declared, "Here's the bottom line—FCC Commissioners casting judgments on what they think constitutes 'good' children's television programming unavoidably constitutes a First Amendment intrusion."[154] Quello also commented that "these rules are as intrusive and overregulatory as anything I have witnessed in more than two decades at the FCC."[155]

Another commissioner, Rachelle Chong, stated that the quantitative standard was not up to the FCC. If Congress had wanted a standard, Chong argued, it would have been put in the CTA. Chong explained, "The legislative history clearly indicates that Congress considered and declined to adopt a quantitative approach and left it to

broadcasters to voluntarily meet their children's educational television commitment." Chong added that the mandate could start the FCC down a "slippery slope" toward "imposing similar obligations on cable programmers."[156]

To pressure the commission into passing the three-hour requirement, President Clinton called the broadcasting industry to the White House for a summit on children's television in July 1996. President Clinton, using children's educational television as a campaign platform, was vocal about his support of the three-hours per week minimum standard.[157] Clinton explained, "For the past year I've been calling upon the Federal Communications Commission to require broadcasters to air a minimum of three hours of genuine educational programming a week—three hours a week, 180 minutes a week, about 2.5 percent of the entire schedule. Such a requirement would halt a steep and troubling decline."[158] At the summit, the National Association of Broadcasters, which represents more than 1,000 television stations, released a survey determining that television stations on average were offering four hours a week of educational children's programming, up from two hours in 1990 when the Children's Television Act went into effect.[159]

On July 29, 1996, after an "intense weekend," broadcasters and federal officials issued their plan to require broadcasters to provide three-hours of educational programming per week.[160] Ten days after the White House's announcement, the FCC unanimously voted to adopt the president's plan.[161] Since the National Association of Broadcasters endorsed the three-hour requirement, the summit also helped to assuage opponents Quello and Chong's feelings about the bill. Quello confirmed that he no longer classified the rule as "teeth-grindingly intrusive." He now was able to be

comfortable with the three-hour rule because it was "apparently flexible enough for broadcasters to deal with."[162]

Cautious Compliance to the CTA

When the CTA was passed in 1990, compliance was varied. Some stations, fearing economic hardships, made very few changes in their pre-existing lineups. A locally produced, host-driven cartoon show in the 1950s cost less than $2 in props. A quality program produced in the 1990s was about $115,000.[163] Minneapolis's CBS affiliate, WCCO's general manager John Culliton reasoned "the advertising dollars are just not there. As long as we're commercial broadcasters we can't go it alone."[164] Cutting corners was the only economically viable alternative for some stations. As a result, broadcasters sought a variety of ways to justify the educational value of their financially successful shows. In the mid-1990s, the most popular children's program was the *Teenage Mutant Ninja Turtles*, a program featuring four crime-fighting superheroes—who just happen to be man-sized turtles. [165] In an attempt to satisfy the FCC's new rules, one station submitted the *Turtles* as being an educational "animal documentary."[166] Other stations reasoned that reruns of *The Jetsons* taught children about life in outer space and old episodes of *The Flintstones* helped children understand pre-historic times.[167]

FCC Chairman Reed Hundt tried to encourage broadcasters not to shirk their responsibilities as some had done with the aforementioned techniques. Hundt challenged broadcasters, "to reach for the stars." He said he knew the meeting was

> filled with people who have the talent, imagination and creativity to create shows that expand the horizons of all children—and not a few adults. If you produce them (the educational shows), the eyeballs will come. And if you promote them,

> these eyeballs will return. And if you air them during prime time, young eyeballs will bring along adults.[168]

Some broadcasters did not appreciate Hundt's pep talk because it did not tell the broadcaster how to curtail the loss of revenue that would occur with an increase in children's programming. For example, the executive vice president of program supplier DIC, Robby London, lamented that "on one hand, Hundt and the FCC are taking a very laissez-faire approach to this, saying that broadcasters should handle this in the best way they know how. But then there is this mandatory code they must adhere to."[169]

Some broadcasters did respond to Hundt's calls and tried to air three or more hours of "FCC-friendly" shows each week.[170] The Big Four Networks (ABC, CBS, NBC, and FOX) offered their affiliates educational programs. ABC grouped children's shows in a two-hour block. ABC's *One Saturday Morning* block contained, *Science Court*, a cartoon focusing on scientific theory, two cartoon adolescents, *Pepper Ann* and *Brand Spanking New Doug*, and a cartoon about fourth-graders on a playground, *Recess.* The *One Saturday Morning* lineup frequently led ABC to garner a majority of television-viewing children in the 2-11 age demographic.[171]

NBC started its own "Teen NBC" block with live action programming targeted at the teen audience. NBC added the live action rock band program *California Dreams* and basketball-based programs *Hang Time* and *NBA Inside Stuff* to its Saturday morning schedule. Teen NBC's lead-off show, *Saved by the Bell*, was "a long-running sitcom the network fitted with lessons about drinking and other pro-social messages for teenagers."[172] *Saved by the Bell,* termed a "morality play" by NBC Executive Vice President John Miller, was one of the first programs to have an educational consultant involved with each script to ensure compliance with the CTA's rules.[173]

CBS offered only three hours of children's programs, so all of their children's programming had to be educational and informational. In the fall of 1997, CBS introduced *The Sports Illustrated for Kids Show* and a variety show starring musical funny man Weird Al Yankovic. CBS had other programs such as *Fudge,* based on author Judy Blume's adolescent book of the same name and a kids' version of the game show *Wheel of Fortune*. An advertising representative claimed "people will trash it as silly, but *Wheel of Fortune* may be the sleeper of the season. And I'll argue that it absolutely is educational. One of the classic children's games is hangman, and this is just hangman with a wheel."[174] In the beginning of 1998, CBS canceled all of these programs, citing low ratings, but planned replacement programs such as *New Tales from the Cryptkeeper*.[175] This program was publicized as offering mystery "morality tales."[176]

FOX offered the most commercially successful curriculum-based programs. The new network aired the world geography game show *Where on Earth is Carmen Sandiego?*[177] In 1997, FOX filled two and half of its mandatory three-hour requirement with five weekday half-hours of comedian Howie Mandel's animated show *Bobby's World*. The remaining half-hour was filled with *Life with Louie*. *Life with Louie*, comedian Louie Anderson's humorous animated portrayal of his troubled childhood, was FOX's highest-rated animated children's program.[178] Both of these programs offered pro-social solutions to such familial problems as sibling rivalry and sharing.[179] Unlike the CBS cancellations, FOX kept its children's programs regardless of their success. As FOX's vice president of educational policies and program practices explained, "There is enough talent out there to make shows that are both educational and enticing to kids. We haven't been doing this long enough for the jury to be in yet."[180]

Syndicators also offered several critically acclaimed programs.[181] In 1997, many WB affiliates aired three cartoon programs produced by Steven Spielberg. One program, the comedic *Freakazoid* featured a teen superhero. Another show, *Animaniacs*, had the animated characters act out silly versions of Shakespearean plays.[182] The third Spielberg show, *Pinky and the Brain*, featured lab mice who tried to take over the world.[183] Both network affiliates and independent stations aired syndicated programs such as the science show *Bill Nye, The Science Guy.*[184] Children also could choose from cartoons based on films, including three based on the Jim Carrey films, *Liar Liar, Ace Ventura Pet Detective*, and *The Mask.* Three Disney films spawned children's program. The first of these shows was *The Lion King's Timon and Pumba.* The second, *Sing Me a Story: With Belle* starred a live action Belle based on the animated character from Disney's *Beauty and the Beast* movie. Belle would tell a "musical story with the help of classic Disney animated shorts."[185] The third Disney show, *101 Dalmatians*, hired an educational consultant from the Harvard Graduate School of Education to "(1) Make the show developmentally appropriate for the target age group, (2)Highlight positive cognitive values and problem-solving strategies, (3) Send a clear and coherent pro-social message."[186] Books also were sources of children's programs. *What-a-Mess*, the comic misadventures of a disheveled, but royal Afghan hound, was based on a series of children's books.[187] The novels of teen mystery writer, R.L. Stein, became the *Goosebumps* television programs.[188]

The syndicated programs stations also reflected the needs of various age groups. For example, a longtime preschooler favorite, *Captain Kangaroo*, returned to television in *The All-New Captain Kangaroo.* Although the original Captain, Bob Keeshan, did not return with the program, original characters including Mister Moose, Bunny Rabbit, and Grandfather Clock were still featured players.[189] On the other end of the spectrum,

stations could lease *Mark's Wired World*, a show for teens about computers and the Internet. Not only did the show discuss technology, but offered help with algebra homework.[190]

Nearly six years after Congress outlawed the syndicating practice of program-length commercials, another controversial, but legal, practice took its place. Animated programs such as *Street Sharks*, *Skysurfer Strike Force*, and *Action Man* were produced abroad at low costs. In the practice called "spot commitments or advertising support," the syndicator sells a time slot for the show with a "promise to purchase thousands of dollars of commercials on the stations."[191] Because toy companies and cereal manufacturers were funding these programs, companies also maintained some control over the program's content. Critics, such as the CME's Kathryn Montgomery claimed the practice to be "kid-ola"[192] and "info-mercials or program-length ads that manufacturers fund for their products." Broadcasters defended their strategy because "federal rules prohibit toy companies from advertising show-related products during the show itself."[193] The spot commitments were placed in advertising windows not connected to their shows. As this practice was not illegal, stations were not fined for accepting spot commitments or advertising support.

Most of the fines levied by the FCC were for station's violating the 10.5 minutes per hour on weekend and 12 minutes per hour on weekday advertising limits. In January 1997, the FCC fined WTTG-TV, Channel 5 in Washington, D.C., $10,000 for five instances in which the station exceeded the limits by as much as 90 seconds. WTTG also was fined for three instances in which a character seemed to be selling a product during a program (a violation of the program-length commercial rules). Two years earlier, the

commission fined 44 stations a total of $1 million for "willful and repeated violations of the time limits."[194] The FCC also admonished 98 stations and wrote to 100 other stations for smaller infractions. A station in Tucson, Arizona, was fined $125,000 based on its "pattern of conduct and the steps taken to correct the alleged problem."[195] The fine was so substantive because it repeatedly violated the rule after being warned to do so.

Regardless of the infrequent violations of the Children's Television Act, Charren was pleased with broadcasters' attempts to educate children. Charren declared that "I, Peggy Charren, who have a history of terrible problems with the broadcast industry, am saying I trust broadcasters to provide nifty programming that parents will want their kids to see."[196] However, Charren acknowledged there were still some problems in the programs. After CBS canceled its entire low-rated children's schedule, Charren said, "It's not all terrific (the programming), but enough is happening to make this a meaningful ruling."[197]

The ruling was a long 28-year process for Charren, but it seems the last decade of the rulemaking was the most trying. Congressional and presidential input into a children's television law eventually led to the Children's Television Act of 1990, but the decade before the CTA was fraught with debates, hearings, and revisions. Although the final version of the CTA bears little resemblance to the three guidelines ACT proposed to the FCC in 1971, for ACT, the CTA was significant for two reasons. First, the CTA was the result of its leaders' determination for a federal law regarding broadcasters' commitment to children. Second, the passage of the CTA allowed Charren to close ACT's doors feeling her job had finally been done.

Notes

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4. Jonathan Rowe, "Advertising and Children's TV," *The Christian Science Monitor*, 29 January 1987, 16.

5. "Children's TV another Bill from Wirth," *Broadcasting*, 5 August 1985, 28.

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23. Ellen Wartella, "Commercialization of Children's Television Hearing," Committee on Energy and Commerce, 15 September 1987.

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27. Keith Henderson, "Turning TV from "Pandora's box' into an 'Aladdin's lamp'," *The Christian Science Monitor*, 16 September 1986, 27.

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CHAPTER 8
CONCLUSION

Action for Children's Television, founded by Boston-area mothers—Lillian Ambrosino, Judith Chalfen, Peggy Charren, and Evelyn Sarson—started as a grassroots organization and grew into one of the most influential pressure groups in television history. These women sought avenues to encourage broadcasters and regulators to ensure that some portion of television programming served the needs of children. The group's work resulted in the Children's Television Act of 1990 (CTA), a law that requires broadcasters to reduce the amount of commercial time and increase educational and informational content on programs specifically designed for children.

While the CTA was ACT's most significant victory, the 23-year history of the organization illustrates this grassroots effort's importance to television. This chapter will discuss several key points that surfaced after an analysis of ACT's work, beginning with the founding of the group and ending with the passage of the Children's Television Act of 1990. Each point demonstrates that the work of ACT's members had a far-reaching impact on broadcasters, regulators, and the citizenry. These points also support the contention that ACT should be acknowledged in broadcasting history not only for its work to improve children's programming, but also for its work to increase the overall voice of the advocate in broadcasting.

A Winning Combination

Concerned by the lack of educational programming available, Charren invited a group of friends and acquaintances to her living room to discuss what could be done

about the content of children's television. In the late 1960s, children's television consisted of cartoon heroes and animals, such as daredevil *Roger Ramjet* and canine crime-buster *Scooby-Doo*.[1] At that time, Charren recalled, "(f)or the most part, the broadcast industry was little monster cartoons for kids. . . . If they weren't monster cartoons, they were some dumb little cartoon. But there weren't a lot of choices."[2] They hoped to develop some solutions that would bring some more choices to the airwaves. Among the group of people Charren assembled were Ambrosino, Chalfen, and Sarson, friends who had long lamented the commercial and violent nature of children's television. While the present study did not address each woman's motivation for joining the group, it is apparent that each provided expertise necessary for making the organization a success. With the exception of Charren, the other founders stayed with ACT for less than five years, but their contributions to ACT's framework allowed the organization to operate until 1992.

Lillian Ambrosino's interest in legal matters, coupled with her work as a radio producer at WGBH, Boston's public television station, directed her to the broadcasters' public interest stipulations found in the Communications Act of 1934, legislation informing broadcasters of their licensing requirements. This "discovery" was essential to ACT because it allowed the organization to base its work on the premise that broadcasters were not serving the public interest if they were not airing quality programming for children. Throughout its 23-year history, ACT continually asked regulators to designate children as a unique part of the public, needing specialized programming.

Often traveling to Washington, D.C., to speak to Congress or the FCC, ACT's founders paid for many of these trips out of their own pockets. Fundraising became

necessary to pay for office space, paperwork, and other operating needs as the group expanded, and as a result, Judith Chalfen's background in economics made her the group's de facto treasurer. In that position, Chalfen also helped organize ACT's early recruitment activities. To join the organization, members paid $3 dues yearly and received ACT's monthly newsletter. Through widespread recruitment, the organization expanded outside of the Boston area, and satellite chapters sprung up in homes, schools, and libraries in cities such as San Francisco, Chicago, and Cuyahoga Falls, Ohio.

Each satellite chapter received materials from ACT with instructions on how to operate. ACT encouraged these local chapters to be visible in the community by speaking at PTA meetings and on television programs. Newsletters also instructed satellite members on how to conduct studies on children's television in their areas and how to send letters to the government on behalf of ACT. In a few short years, the Boston area mothers had galvanized a national network of television advocates.

As ACT's mission moved nationwide, the media began to take notice of the group's potential to spur change, while ACT looked upon the media as a way to further increase the group's exposure. Evelyn Sarson, a former journalist, became adept at handling public relations tasks and coordinating ACT's publicity-oriented activities. One of ACT's first activities, a picket outside a Boston television station, was done in part to bring about the return of the hour-long children's program *Captain Kangaroo*, but the other reason for the picket was to "make noise."

Although the size of the picket was relatively small, it was successful in both ventures. The station reinstated the hour-long program to weekday mornings, but perhaps more importantly, newspapers printed articles about the group. After the picket, Charren commented, "(M)aybe the most important thing we've done has been to just get

people to look at what the television broadcasters are showing to their children. That ought to be enough to make them want to do something about it."[3] Television stations became interested in this small group of mothers and frequently invited Sarson, ACT's first president, to appear on programs discussing children's issues. ACT's growing presence in the media eventually led to meetings with television network executives and the Federal Communications Commission.[4]

As the group continued to improve its advocacy efforts, Charren's contribution to the organization was her tenacity and dedication. Charren's parents had instilled in her the importance of maintaining the civil rights of Jews and other minority groups. They had also made her aware of her societal duties, such as being politically active, which motivated her to stay with the organization for its entire 23-year span. While ACT's other founders left the organization within the first five years, Charren remained with the organization until after the passage of the Children's Television Act of 1990. Only when Congress passed a law for children's television did Charren ascertain that her work was done. Congressman Edward Markey, the driving force behind legislation for the Children's Television Act of 1990, called Charren "the Michael Jordan of children's television" meaning that she was the country's leading children's television advocate.[5] William Kennard, the current FCC chairman, said if it had not been for Charren, there would not be a Children's Television Act. He added that Charren is a legend in television history.[6]

While the organization ended with Charren alone at the helm, the initial collaboration of the mothers not only formed a well-organized grassroots effort, but it also prompted the creation ofa forum where the needs of the child audience could be

broached in U.S. government organizations, the broadcast industry, parents, and potential advocates.

Without federal monitoring of their content, broadcasters have no incentive to trade financial profit for serving the public interest. After ACT's 1971 petition to the FCC, the agency said it would look into the nature of children's programming. Broadcasters, then, began adding educational content and reducing their number of commercial minutes. ABC introduced the *ABC Afterschool Specials* and the *Schoolhouse Rock* minutes.[7] CBS Director of Children's Programming Allen Ducovny said of the 1971 season, "I think we're in a process of evolution in children's programming. We want, in particular, to raise the level of entertainment—that's fundamental—but also to provide some learning experience."[8]

ACT successfully petitioned the FCC to initiate a rulemaking procedure to determine if broadcasters should be forced to air 14 hours of children's educational programming and to eliminate commercials from the children's line-up. Not until ACT's petition had the FCC formally attempted to determine if broadcasters should be serving children as a part of each station's public interest requirements. After three years of gathering comments from interested parties, the FCC issued the Children's Television Policy Statement, which stipulated that children were an audience that should be considered in programming decisions. However, the statement did not include the specifications ACT requested. Still, the statement was further than the FCC had ever gone in identifying children as a special audience.[9]

Once the FCC stopped looking into what was being aired, broadcasters canceled many of their educational programs, citing loss of advertising revenue. ACT was vocally opposed to the broadcasters' claims. To these comments Charren responded, "If that is

going to bankrupt (them), (they) should be in the shoe business" and not in broadcasting.[10]

Several times between the 1974 Children's Television Policy Statement and the late 1980s, ACT asked the FCC to take another look at what the broadcasters were offering to young viewers. Each time the FCC addressed the issue of children's television it noted ACT's contribution to the regulatory process. Even during the deregulatory atmosphere of the Reagan administration, FCC Chairman Mark Fowler acknowledged ACT's role in shaping the debate about children's television.[11]

The broadcast industry also changed as a direct and indirect result of ACT. Prior to ACT's national visibility, broadcasters aired programs designed to attract as many children as possible to advertisements appearing during the shows. For this reason, the programs were rich with graphic images and light on age-specific educational content. After ACT petitioned the FCC, broadcasters realized that if they did not change what they were offering to children, the FCC might force them to change. To avoid mandated changes, the broadcasters voluntarily added some educational content and reduced, or eliminated in a few cases, commercial minutes. By altering its content, broadcasters acknowledged the influence ACT could potentially have over the regulatory process and, ultimately, television programming.[12]

ACT's influence with regulators stemmed from the women's endeavors to educate themselves about all aspects of advocacy. ACT then used this knowledge to enlighten parents around the country about what was necessary to change children's television. Frequently forced to abandon their initial meetings to pick up their children from school, the four founders soon realized that their work could not be conducted in such a manner. Thus, not only did they educate themselves on advocacy procedures, but

they also sought and received grants that bought office supplies, paid them salaries, and helped them travel to meet with government officials. Mothers in chapters across the country followed ACT's lead and educated themselves on advocacy efforts. Parents who had been disappointed in what was available for their children to watch now had an organized body with which they could commiserate and bring about change. ACT served as an outlet for these like-minded parents and provided a way for these citizens to exert power as a group.

Even after ACT disbanded, its influence continued to help others who wanted to improve the lives of children. For example, Harvard University's Graduate School of Education dedicated funds to children's television research and established a children's television archive devoted to the study of children's television and advertising regulation. Similarly, once ACT closed its doors in1992, Charren helped organize the strategies of the Center for Media Education (CME), the group she deemed the heir apparent to ACT's mission. The CME later lobbied the FCC while it established rules for broadcasters to follow to comply with the CTA.

However, the FCC was not always receptive to lobbyists' arguments. Because FCC chairmen and commissioners are presidential appointees, they tend to align with the philosophies of that president. Consequently, Charren and ACT met with varied responses from the FCC depending on who was leading the country during that period.

For example, Reagan's deregulatory philosophy encouraged federal agencies to relinquish some regulations they found unnecessary. After his appointment, Fowler reasoned, "(L)et the people of our country directly determine what ought to be on television. Programs live and die based upon viewer preference. FCC standards have been unnecessary intrusions on that process."[13] The Fowler-led FCC repealed the 1974

Children's Television Policy Statement in 1984 and broadcasters were free once again to operate solely for their financial benefit and to ignore their educational responsibilities to children.

Soon after the repeal, toy companies sponsored program-length commercials that sold products, while offering little in the way of constructive content for children. In the 1985-1986 television season 10 of the 19 new syndicated programs were designed to promote toys, not educate children. Programs such as *Thundercats, He-Man,* and *Transformers* all aired commercials for their products. In an attempt to convince parents to watch the program and buy the toy, the muscular gun-carrying Rambo as a nature lover, not a violence-inspired action figure.[14] By the 1986 season, 12 of the top 24 children's programs were toy-affiliated programs.[15]

Years later, FCC chairmen Reed Hundt and successor William Kennard fostered Bill Clinton's desire to improve the airwaves for children. Both Hundt and Kennard led the FCC to make definitive rules for the Children's Television Act of 1990. Broadcasters were instructed that they had to air three hours of educational and informational programming specifically designed to serve children 16 and under, or face a penalty.

ACT initially lobbied the government officials to eliminate program-length commercials and to set a minimum number of hours educational programming should be aired. Yet, no amount of pressure from this advocacy group could sway the Fowler-led FCC to alter its stand toward content regulation on the airwaves. ACT, eventually, appealed to Congress to force Fowler's FCC to make rules for broadcasters to follow. The Hundt and Kennard commissions, already following Clinton's wishes to regulate children's television, were willing to accept ACT's proposals for regulation, and they continued to consult with Charren after ACT disbanded.

Although ACT is best known for its work with television, the group also was concerned with improving children's lives in general. In its 1974 Annual Report, ACT announced its intention to expand its interests.

> ACT has developed from a single-issue pressure group into a mature national organization focusing the attention of the nation on the problems and pleasures of television for children. To accomplish these goals, two important and related areas need to be developed. First, ACT need(ed) to enlarge its national constituency to attract a wide segment of the public. Second, ACT need(ed)to provide a vehicle to enable a large number of responsible citizens to express their views and to organize support for a change in children's television.[16]

In the mid-1970s ACT asked the Federal Trade Commission to consider mandating that the food industry reveal the nutritional value of the products it advertised to children. Although the FTC abandoned the inquiry into food advertising, some companies changed the way they touted their products. In particular, breakfast cereal manufacturers deleted the word "sugar" from many of their brand names. ACT also participated in a nationwide campaign to eliminate toys with projectile missiles from store shelves.[17]

ACT was able to expound on its interest in other children's issues at its annual symposia held across the country. After each symposium, ACT would compile the findings of its speakers into a book that was made available to the public. Generally, these books would include studies conducted on children's television programs and advertisements. For this reason, ACT has published guidebooks on teaching children about current events, living with the disabled, and exposing children to the performing arts.

Despite the positive advances that resulted from the group's efforts, ACT had one problem that might have hindered its ability to spearhead more substantial innovations – defining the term "educational." Charren was reluctant to pinpoint specific programming that fit the term because she was vehemently opposed to infringing on the broadcasters'

rights of free speech. Changing television, for Charren, meant adding quality choices for parents and children.[18] Instead of insisting that broadcasters take certain programs off the air, ACT wanted broadcasters to add content. Charren credited her support of the First Amendment as being an integral part of ACT's success.

> I think the reason I lasted this long, the reason the press calls me, the reason I have had the successes I had, whatever they were, is because I am so violently opposed to censorship . . . . When a parent turns off the TV, the kid might think it is censorship, but that's not what I'm talking about. . . . .[19]

Because of Charren's hesitancy, the organization never clearly explained what was acceptable children's programming. Broadcasters frequently lamented that Charren and ACT were never happy with any content on the airwaves. According to what ACT lauded in its newsletters and in other public forums, the organization preferred live-action programs, such as *Wonderama* and *Captain Kangaroo*, to animated programs. The organization also was a fan of the PBS shows *Sesame Street*, *Zoom*, and *Mr. Rogers' Neighborhood*. The latter type of programming was difficult for broadcasters to air because the public television programs were targeted to specific age groups. Commercial broadcasters were striving to reach as large an audience as possible. Segmenting the child audience into several age groups did not accomplish this goal.

Although it is beyond the scope of the study, it is clear that broadcasters' responses to the organization, while not always favorable, were somewhat respectful. ACT's relentlessness made the broadcasters aware that there was a watchdog group monitoring them. For example, broadcasters altered their content after the FCC agreed to honor ACT's request and look into children's television. Even though ACT could not make regulations, it did have the power of the media behind it. As such, ACT was vocal about some broadcasters' dereliction of their public interest responsibilities. For example, one

method ACT used to publicly reprimand broadcasters was to award figurative marshmallows for broadcasters' soft stance on children's television. Subsequently, newspapers would report the dubious distinction, which alerted parents to what the broadcasters were doing.

The attention ACT brought to the issues in children's television and its success with the passage of the Children's Television Act of 1990 indicate the role the group played in transforming children's broadcasting. Its accomplishment is also illustrative of the importance of advocacy in any regulatory process.

Researchers Edwin Krasnow and Lawrence D. Longley pointed out that five bodies, or "inputs", influence the regulatory process—the White House, Congress, the FCC, the broadcast industry, and citizens. [20] ACT not only made broadcasters aware that an organized movement was monitoring what was being aired for children, but it also told parents that they, too, could play a role in what their children saw on television. ACT also guaranteed that citizens actively participated in the regulatory process through newsletters, flyers, and public speaking events. Without ACT, it is doubtful that the FCC would have received the 100,000 comments concerning children's television policy in the 1970s.

Implications

ACT's impact on broadcasting's regulatory development did not end with the group's demise in 1990, and the role it played in shaping broadcast history can still be felt into the twenty-first century. The present study corrects historical records concerning ACT's origins, raising awareness of the contributions of three other women, in addition to Charren, who were crucial in determining the path the group would eventually take. As each left ACT, she continued to contribute her talents in other areas of broadcasting or

community activism. The women's later accomplishments, as well as their earlier motivations toward activism, warrant further investigation because their achievements set the stage for other women to become more actively involved in the regulatory process, as well as the advocacy arena. A more thorough examination of their successors would be invaluable in determining the extent of women's contributions to the regulatory history of broadcasting, as well as ACT's role of progenitor.

Similarly, the four founders' ingenuity and dedication established a template around which later advocacy groups would fashion their own strategies for addressing the special needs of other factions of society. Tracing the origins and proliferation of these later organizations would clarify the nature and breadth of their contributions to public relations and advocacy campaigns, based on ACT's initial approaches.

Because ACT chose to speak out, others in authority positions began to recognize children as a viable and valuable viewing audience, with both entertainment and educational requirements that needed to be met. The group's newsletters, flyers, and public speaking events opened up a forum in which parents could discuss and negotiate standards that were in the best interest of their children. The questions ACT raised about children's viewing needs opened the door for continuing research and scrutiny of television program content, in addition to ongoing investigations of children's lifestyle issues.

The present study illuminates the fact that Action for Children's Television was one of the most influential advocacy organizations in broadcasting history. In addition, the history of this organization illustrates several truths. First, ACT is a vivid example of the role parents can play in their children's television viewing, consumer behavior, and general well being. Second, a successful advocacy organization must rely on the talents

of its members, the press, and an ever-changing government to be successful. Finally, and more specifically, the importance of a concerned citizenry can have a lasting effect on the regulatory process and society as a whole.

Notes

1. "TV's Saturday Gold Mine," *Business Week*, 2 August 1969, 96; K. Kelly, "Junior Season Opens," *Time*, 20 September 1971, 20.

2. Peggy Charren, interview by author, 19 October 1998, tape recording.

3. Herbert Kupferberg, "Your Kids' Needs," *Parade*, 30 January 1972, 20.

4. Fred Ferretti, "Women's Group Urges Network to Take Ads of Children's Television." *The New York Times*, 7 January 1970, 87; Evelyn Sarson, "Growing Grassroots in Viewerland," *Television Quarterly*, Summer 1970, 50.

5. Dan Aucoin, "The Accidental Activist," *The Boston Globe*, 8 March 1987, N1.

6. Dan Aucoin, "The Accidental Activist," *The Boston Globe*, 8 March 1987, N1.

7. Evelyn Sarson, interview by author, 20 November 1999.

8. George Gent, "TV Networks Move to Upgrade Much-Criticized Children's Fare," *The New York Times*, 21 May 1971, 33.

9. Peggy Charren, interview by author, 19 October 1998, tape recording.

10. Peggy Charren, interview by author, 19 October 1998, tape recording.

11. "Take a Page form the Right, Fowler tells Charren," *Marketing & Media Decision*, 21 March 1982, 52.

12. Les Brown, "CBS Reports Sharp Dip in Saturday Morning Ads," *The New York Times,* 15 May 1975, 87; John O'Connor, "When it Comes to Network Programming for Children's Quality does Exist but it is Rare and Costly," *The New York Times*, 9 November 1975, 73.

13. Why TV is being freed from the heavy hand of government," *U.S. News World Report,* 23 July1984, 47.

14. Glenn Collins, "Controversy about Toys, TV Violence," *The New York Times*, 12 December 1985, C1.

15. Advertisement, *Broadcasting*, 26 January 1986, 123. Other programs on the list were *Transformers, G. I. Joe, He-Man, She-Ra, Mask, Challenge, GoBots, Plasticman, Rainbow Brite, Jayce and the Wheeled Warriors, Robotech, Voltron, Care Bears,* and *Strawberry Shortcake.*

16. Action for Children's Television. Annual Report, 1974.

17. Action for Children's Television Newsletter. Vol. 8, No. 3, Spring 1979; "Mattel Announces Toy Replacement Program," *News for the CSPC*, 11 January 1979.

18. Peggy Charren, interview by author, 19 October 1998, tape recording.

19. Peggy Charren, interview by author, 19 October 1998, tape recording.

20. Edwin Krasnow, Lawrence D. Longley, *The Politics of Broadcast Regulation* (New York: St.. Martins Press, 1978.)

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